

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10781 of 2023

Mahtab Alam Son of Late Seikh Haibat Hussain Resident of Purani Motihari Road, Near S.B.I. Branch, Paigambarpur, Kolhua, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Katihar.
4. The Sergeant Major/ Inspector Police Line, Katihar.
5. The Sergeant Major (M.T.), Police Line, Katihar.
6. The Additional Circle Inspector, Sadar-B, Katihar.
7. The Station House Officer, Muffasil Police Station, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar
For the Respondent/s	:	Mr. Mankeshwar Tiwari, AC to AAG 3

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 05-02-2024

Heard Mr. Subhash Kumar, learned counsel appearing on behalf of the petitioner and Mr. Mankeshwar Tiwari, learned counsel for the State.

2. The petitioner, who superannuated on 30.11.2022 from the post of Sub-Inspector of Police, Muffasil Police Station, Katihar, has filed the present writ petition seeking a direction upon the respondents to ensure the payment of remaining 10% of pension as well as 10% of gratuity, which is pending since then.

3. It is submitted on behalf of the petitioner that



admittedly the date on which the petitioner superannuated there was no departmental proceeding or judicial proceeding and only because of the allegation that the petitioner is not cooperating in handing over the charge of District Goods Providing Section (G.P. Section), he has been denied the remaining 10% of pension/10% gratuity. It is submitted on behalf of the petitioner that so far the allegation is concerned, the petitioner has made several attempts to submit the charges of Katihar District Goods Providing Section but despite his best efforts, till date few of the charges have not been taken from him. Moreover, for the said purpose, the petitioner has also made a representation to the Superintendent of Police, Katihar on 24.02.2023 but to no avail.

4. Considering the limited grievance of the petitioner and his undertaking that he is ready to cooperate in handing over the charge of District Goods Providing Section, the present writ petition stands disposed of with a direction to the Superintendent of Police, Katihar to authorize any competent person to receive the remaining charge from the petitioner, preferably within a period of four weeks from today and on being satisfied, ensure payment of the remaining 10% pension as well as 10% gratuity within a further period of eight weeks thereafter.



5. It is made clear that the writ petition is being disposed of on the submissions of the learned counsel for the respective parties, that the date on which the petitioner superannuated there was no departmental or judicial proceeding pending against him.

6. This disposes the writ petition.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.02.2024
Transmission Date	

