

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3130 of 2021

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Indradev Choudhary son of Sri Mangal Choudhary, r/o village- Paigamberpur,
Fatwah, PS-Khushrupur, Distt. Patna.

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan Kr. Pandey, Advocate
For the Respondent/s	:	Mr. Subhash Prasad Singh (GA3)
For the PMC	:	Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 05-01-2024 Heard Mr. Rajiv Ranjan Kumar Pandey, learned
counsel appearing on behalf of the petitioner and Mr. Subhash
Prasad Singh, learned Government Advocate-3 as well as Mr.
Ranjeet Kumar Pandey, learned counsel for Patna Municipal
Corporation.

2. The petitioner, having completed the age of sixty
years has superannuated on 31.05.2016 from the post of routine
clerk from the office of Patna Municipal Corporation, Patna, has
filed the present writ petition seeking a direction upon the
respondent corporation to ensure payment of all the retiral as
well as arrears of salary on account of pay revision.

3. A counter-affidavit has been filed on behalf of
respondent corporation and submission has been made that
substantive retiral and other dues have been paid to the
petitioner. The particulars of which has been duly mentioned in

paragraph no. 6 to 9. It is further submitted that there is paucity of fund in Patna Municipal Corporation and as such, the admitted due arrears under different head has already been calculated and the same shall be paid to the petitioner immediately after receiving the allotment from the State Government under the head of “Sixth Finance Commission” for which the corporation has already requested.

4. The aforesaid fact has not been refuted by learned counsel for the petitioner.

5. Considering the submissions advanced and the materials available on record, the present writ petition stands disposed of with a direction to the Municipal Corporation to ensure payment of the remaining arrears of salary and pension on account of pay revision within 12 weeks from the date of receipt of production of a copy of this order. The petitioner is also at liberty to file a representation before the respondent authority, if he is not satisfied with the calculation made by the respondent corporation in making payment of admissible dues.

(Harish Kumar, J)

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