IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4109 of 2021

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Ram Pravesh Sharma Son of Late Fakira Sharma, through Kamla Devi aged about 67 Years, famale, Wife of Ram Pravesh Sharma, Resident of Village-Lodipur (Kharsa), P.O. Sarwarpur, P.S. Mehandia, District-Arwal.

... ... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna
3. The Chief Engineer, Rural Works Department, Sub-Division, Patna.
4. The Executive Engineer, Rural Works Department, Special Division, Sheikhpura.
5. The Executive Engineer, Rural Works Department, Works Division, Sheikhpura.
6. The Executive Enginer, Rural Works Department, Wors Division, Teghra, Begusarai.
7. The Superintending Engineer, Rural Works Department, Work Circle, Munger.
8. The District Magistrate, Sheikhpura
9. The District Provident Fund Officer, Sheikhpura.
10. The Treasury Officer, Arwal.
11. The Accountant General, A and E, Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

11 15-07-2024 No one appears on behalf of the petitioner.

2. Learned advocate for the State is present.

3. In compliance with the direction of this Court dated 08.02.2024 a supplementary counter affidavit has been filed on behalf of the respondent nos. 2 to 7. It is categorically averred that the petitioner has paid the amount of provisional gratuity to the tune of Rs. 3,67,872/- by the office of the Executive

Engineer, Rural Works Department, Works Division, Teghara vide Bill No. 61E/14-15. The afore noted amount was already credited in the bank account of the petitioner on 16.12.2014 itself. Further, the petitioner has also been paid the arrears of pension. On the last occasion, it was contended on behalf of the petitioner that irrespective of sanction of an amount of Rs. 14,06,252/-, the petitioner has been credited only Rs. 8,70,192/-; which fact has also been clarified by the respondent by filing the supplementary counter affidavit. In paragraph nos. 9 and 10, it has been made clear that the petitioner has been paid the gratuity amount twice due to which the recovery of excess amount has been made from the petitioner. It is also contended that certain amount has also been deducted under the Head of TDS (Income Tax).

4. This court does not find any substance in the claim of the petitioner that he has been allowed less amount.

5. Considering the averments made in the supplementary counter affidavit, the present writ petition stands disposed of.

(Harish Kumar, J)

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