

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16005 of 2022

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Nawal Kishor Jha, Son of Late Parshuram Jha, Resident of Village- Laxmipur,
P.S.- Belsand, District- Sitamarhi and at present Resident of Indu Bhawan,
Road No. 10, Kankadbag, P.S.- Kankadbag, District- Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Director, Secondary Education, Bihar, Patna.
3. The Director, Library and Information Centre Directorate, Sinha Library
Campus, Budh Marg, Patna.
4. The Accountant General, Bihar, Patna.
5. Shankaranand, Incharge, Establishment, Office of the Director, Library and
Information, Sinha Library Campus, Budh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Subhash Chandra Mishra, SC-16
		Mr. Madhukar Mishra, AC to SC-16
For the Accountant General :		Mr. Binod Kumar Labh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 08-01-2024

Heard Mr. Vijay Kumar Pandey, learned counsel for
the petitioner and Mr. Madhukar Mishra, learned counsel for the
State. The Accountant General, Bihar is represented by Mr.
Binod Kumar Labh, learned counsel.

2. The petitioner by filing the present writ petition
under Article 226 of the Constitution of India seeking a
direction upon the respondents to ensure payment of his left
over retirement benefits consequent to his retirement on
30.11.2021 from the post of Attendant, office of Directorate of



Library and Information Centre, Sinha Library Campus, Patna, as also for a direction to the respondents to send pension paper and service book of the petitioner to the office of Accountant General, Bihar, Patna by fixing the last pay of the petitioner as 46,100/-, in place of 40,600/-, on 30.11.2021.

3. A counter affidavit has been filed on behalf of respondent no.3.

4. It is submitted that considering the claim of the petitioner his pension and other retiral benefit is duly determined and vide letter no. 855 dated 17.12.2022 it has been sent to the office of the Accountant General, Bihar, Patna and the pension was being paid to the petitioner. Further on a request made by the petitioner for correction of his last pay on account of his date of his appointment, the Director Secondary Education, Government of Bihar vide letter no. 2008 dated 16.08.2023 has approved for grant of 1st, 2nd and 3rd ACP/MACP considering his date of appointment as 13.02.1985 and consequent thereto direction has been given for determination of pay and retirement benefits.

5. Further submission has been made that apart from correction of the date of appointment as well as grant of 3rd ACP/MACP to the petitioner on the basis of his date of



appointment as 13.02.1985, his last pay has also fixed as Rs.46,100/-. Consequently, the service book of the petitioner as well as relevant documents have also been sent to the District Account Officer, Patna for processing and payment of the dues and retirement benefits to the petitioner.

6. Considering the averments made in the counter affidavit filed on behalf of respondent no.3, the present writ petition stands disposed of with a direction to the respondent nos. 3 and 4 to ensure payment of all the admissible dues in the light of letter no. 537 dated 09.09.2023, preferably within a period of eight weeks’ from the date of receipt/production of a copy of this order.

7. This disposes the writ petition.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.01.2024.
Transmission Date	NA

