

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17801 of 2022

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Ram Lakhan Mahto, Son of Ram Prasad Mahto, Resident of Village-
Puprahar, Ward No. 6, P.S.- Bajpatti, Distt. Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Panchayati Raj Department Bihar, Patna.
2. The Accountant General of Bihar, Patna.
3. The Distt. Magistrate, Sitamarhi.
4. The Distt. Programme Officer, Sitamarhi.
5. The Distt. Panchayat Raj Officer, Sitamarhi.
6. The Block Development Officer, Sursand.
7. The Block Development Officer, Pupri,
8. The Block Development Officer, Parihar.
9. The Block Development Officer, Nanpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
For the Respondent/s	:	Smt. Archana Meenakshee, GP- 6
For the Accountant General :		Mr. Dr. Anand Kumar, Advocate
		Mr. Rajan Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 29-01-2024

Heard the parties.

2. The petitioner, who superannuated on 28.02.2021 from the post of Panchayat Secretary, Bokhra block in the district of Sitamarhi, has filed the present writ petition seeking a direction upon the respondents to ensure payment of his due salary and retiral benefits along with ancillary reliefs.

3. In compliance of the order of this Court, a counter affidavit has been filed on behalf of respondent nos. 2, 4



and 8.

4. By referring to the statements made in the counter affidavit, submission has been made that the due amount of the petitioner under the head of G.P.F., Earned leave and Group Insurance have been paid to him. Further submission has been made that the petitioner has also been paid his due salary for the period January, 2018 to January, 2019 and further from May, 2020 to February, 2021 vide Annexures- R/5 and R/6 to the counter affidavit. The petitioner has also been accorded the provisional pension and gratuity.

5. So far the benefits under Assured Career Progression scheme is concerned, it has been submitted that proposal has been forwarded to the District Panchayati Raj Officer, Sitamarhi, vide letter no. 1915, dated 15.12.2023 and after decision of the District Screening Committee, the financial benefits shall be accorded on the basis of fresh calculation after accruing the benefit of A.C.P.

6. Ms. Archana Meenakshee, learned GP- 6 thus submits that the pension paper of the petitioner would be sent to the Accountant General, Bihar for final pension and gratuity, as would be admissible to him and after receipt of the order of Sanction of Pension/Gratuity (PPO/GPO), the differential



amount of Pension and Gratuity would be paid to the petitioner by the Treasury Officer, Sitamarhi in accordance with law.

7. In view of the submissions advanced and the averments made in the counter affidavit, the writ petition stands disposed of with a direction to the respondent authorities to ensure payment of all the benefits accruing after grant of ACP and other consequential benefits and finally pension/gratuity preferably within a period of twelve weeks’ from the date of receipt/production of a copy of this order.

8. Needless to observe that any defiance of the order shall be dealt with sternly.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2024
Transmission Date	NA

