

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15266 of 2023

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Jagdish Prasad Yadav S/o Mahajan Prasad, R/o Village- Dighi, Murliganj,
Dighi, P.S.- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. Principal Secretary, Finance Department, Bihar Patna.
3. Director Panchayati Raj, Bihar, Patna.
4. Commissioner, Kosi Division, Saharsa.
5. District Panchayati Raj Officer, Madhepura.
6. Sub Divisional Officer, Madhepura.
7. Treasury Officer, Madhepura.
8. Block Development Officer, Kumarkhand.
9. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Smt. Mallika Mazumdar, Advocate
For the Respondent/s	:	Smt. Anuradha Singh, (Sc21)
For the A.G.	:	Mr. Ram Kinker Choubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 19-06-2024

Heard Smt. Mallika Mazumdar, learned counsel for the petitioners, Smt. Anuradha Singh, learned counsel for the respondent-State and Mr. Ram Kinker Choubey, learned counsel for the Accountant General, Bihar.

2. Learned counsel for the petitioner has submitted that the grievances of the petitioner have been redressed by the respondent authorities, except the final pension and the gratuity.

3. Respondent nos. 5 to 8 have filed a supplementary



counter affidavit wherein, in paragraph 5 and 6, it has been stated as under:-

“5. That it is submitted that the Accountant General Bihar has vide letter No. 15/PEN 131223153495/202411151674 PO dated 11.01.2024 issued the Pension payment Authority and Gratuity Payment Authority. The Accountant General Bihar has fixed the final pension of the petitioner as Rs. 3713/- w.e.f 01.07.2013 and final Gratuity on Rs. 133650/-

6. That it is submitted that now as per Bihar Treasury Rules the petitioner has to appear in person before the Treasury Officer, Madhepura with his copy of PPO/GPO and only thereafter the pension and the balance gratuity will be paid to the petitioner”

4. From perusal of the statements made in paragraph nos. 5 and 6 of the supplementary counter affidavit filed by respondent nos. 5 to 8, it appears that the Accountant General, Bihar/ Respondent no. 9 has fixed the final pension and gratuity amount of the petitioner.

5. In terms of the above fixation made, the pension payment authority and gratuity payment authority have also been issued by the Accountant General, Bihar. It further appears from paragraph no. 6 that in terms of the above pension payment



authority and gratuity payment authority, the petitioner is required to appear before the Treasury Officer, Madhepura with his copy of PPO/GPO and on his appearance before the Treasury Officer, Madhepura, the pension and gratuity will be paid to the petitioner.

6. In view of the above statements made by the respondent nos. 5 to 8 in the supplementary counter affidavit as highlighted herein above, this writ petition is hereby disposed of with a direction to the petitioner to appear before the Treasury Officer, Madhepura with his copy of PPO/GPO.

8. As and when, the petitioner appears before the Treasury Officer, Madhepura/Respondent no. 7 with his copy of PPO/GPO, the Treasury Officer is directed to pay the petitioner his final pension as well as final gratuity as fixed by the Accountant General, Bihar as discussed hereinabove forthwith.

8. The writ petition is disposed of with above directions.

(Nani Tagia, J)

Siddharth /
Siwani-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.06.2024
Transmission Date	NA

