

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15483 of 2023

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Bhikhari Prasad, Son of Late Gaya Prasad, Resident of Village and P.O.-
Garhani, P.S.- Charpokhri, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through Addl. Chief Secretary, Water Resources Department, Govt. of Bihar, Patna.
2. The Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
4. The Deputy Secretary, Management, Water Resources Department, Govt. of Bihar, Patna.
5. The Chief Engineer, Irrigation Creation, Water Resources Department, Motihari.
6. The Superintending Engineer, Tirhut Canal Circle, Ratwara, Muzaffarpur.
7. The Executive Engineer, Tirhut Canal Division, Motipur Camp, Muzaffarpur.
8. The District Provident Fund Officer, Muzaffarpur, District- Muzaffarpur.
9. The Executive Engineer, Rural Works Department, Works Division, Dehri.
10. The In-Charge Officer, Finance (P.C.F.C.), Govt. of Bihar, Patna.
11. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siya Ram Shahi, Adv. Ms. Shally Kumari, Adv.
For the State	:	Mr. Sriram Krishna, AC to SC-11
For the AG, Bihar	:	Ms. Ritika Rani, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 12-01-2024

Heard Mr. Siya Ram Shahi, learned counsel along



with Ms. Shally Kumari, learned counsels for the petitioner; Mr. Sriram Krishna, learned counsel for the State and Ms. Ritika Rani, learned counsel for the Accountant General, Bihar.

2. The petitioner, who superannuated on 28.02.2017 from the post of Assistant Engineer, has filed the present writ petition, seeking a direction upon the respondents to ensure payment of all his retiral benefits, including pension, gratuity, G.P.F. and un-utilized leave encashment along with statutory interest.

3. A counter affidavit has been filed on behalf of the respondents no. 1, 2 4 and 5 to 7, with categorical averments that so far the pension and gratuity are concerned, the sanctioned letter has already been sent to the Accountant General, Bihar for issuance of necessary authority letter.

4. At this stage, it has been informed to this Court by the learned counsel representing the Accountant General that necessary pension payment order has already been issued in this regard on 06.12.2023 itself.

5. Learned counsel for the State further submitted that so far the leave encashment is concerned, the same has already been paid to the petitioner. Further the Chief Engineer, Irrigation Creation, Water Resources Department, Motihari, has also



forwarded the application of the petitioner for final withdrawal of his GPF amount (Form BTC-56) to the District Provident Fund Officer, Muzaffarpur vide letter no. 2818 dated 05.12.2023 for the needful and the admissible GPF amount shall be paid to the petitioner within a short span of time.

6. At this juncture, Mr. Shahi, learned counsel for the petitioner, submitted that though substantive amount has been paid to the petitioner but still the petitioner has other pre-retiral dues, which have not been accorded to him.

7. In view of the submissions advanced on behalf of the parties, the present writ petition stands disposed of with a direction to the respondent no.8, the District Provident Fund Officer, Muzaffarpur, to ensure payment of all the admissible GPF amount along with the statutory interest, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

8. So far the other grievance of the petitioner is concerned, the petitioner is at liberty to file a fresh representation before the competent authority, preferably within a period of four weeks from today, who shall consider the same and disposed of by a reasoned and speaking order within a further period of eight weeks.



9. Needless to observe that any amount, admissible to the petitioner shall be paid to him within the stipulated period.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15-01-2024
Transmission Date	

