

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9025 of 2024

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Ravindra Kumar Sharma, S/o Late Suryadeo Singh, resident of Village-Jamalpura P.O. Korawa via Naubatpur, P.S. Naubatpur District- Patna, at present Resident of 103, Block B, Monika Apartment, Maurya Path, Khazpura, P.O. B. V. College, Patna-800014

... .. Petitioner/s

Versus

1. The State Of Bihar through the Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
3. The Director-in-chief, Health Services, Government of Bihar, Patna.
4. The Civil Surgeon cum- Chief Medical Officer, Buxar.
5. The Additional Chief Medical Officer-cum District Leprosy programme Officer, Buxar.
6. Sanjay Kumar, the then office Clerk, Leprosy Control Unit, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.
For the Respondent/s : Mr. Standing Counsel (16)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-03-2025 Heard the parties.

2. At the outset, Mr. Shailesh Kumar, learned Advocate for the petitioner contended that notwithstanding the fact that the petitioner superannuated long back in the year 2008 from the post of Medical Social Worker (Supervisor), In-charge District Leprosy Abolition Office, Buxar; till date only substantive arrears of difference of retiral benefits and other dues have been paid to the petitioner that too during the



pendency of the writ petition. However, there is no interest over the amount, which has been paid much belatedly. It is further contended that it is the admitted fact that the petitioner superannuated on 31.12.2008 and, as such, in terms of the Resolution issued by the Finance Department, Government of Bihar dated 27.05.2013, the copy of which is marked as Annexure-1, the petitioner is entitled to get revised Gratuity amount to the tune of Rs.10 lacs but he has been accorded only Rs.3.50 lacs in terms of earlier provision.

3. Considering the submissions advanced on behalf of the learned Advocate for the petitioner, this Court thinks it apt and appropriate to dispose off the writ petition with a direction to the respondents no.2 to 4 to consider the claim of the petitioner for revised Gratuity in terms of the Finance Department Resolution dated 27.05.2013 (Annexure-P/1) along with the interest over the delayed payment in view of the mandate of the Apex Court in the cases of **Vijay L. Mehrotra vs State of U.P. & Ors.**, [(2001) 9 SCC 687], **State of Kerela & Ors. vs. M. Padmanabhan Nair**, [(1985) 1 SCC 429] and **Union of India vs. Justice S.S. Sandhawalia**, [(1994) 2 PLJR SC 48], preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.



4. The writ petition stands disposed off with the
aforesaid direction.

(Harish Kumar, J)

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