

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.257 of 2025

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Ravi Shankar Mishra Son of Late Ram Ummid Mishra, resident of House No.B/36/21, R-S-5, Kaivalya Dham Extan, Durga Kund, P.S.- Bhelupur, District- Varanasi (Uttar Pradesh), PIN-221005.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar at Patna.
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Secretary, Road Construction Department, Government of Bihar, Patna.
4. Joint Secretary to the Government, Road Construction Department, Bihar, Patna.
5. The Executive Engineer, National Highways India Division, Gumla
6. The Chief Engineer, National Highways India Section, Jharkhand at Ranchi.
7. The Chief Secretary, State of Jharkhand, Ranchi.
8. Dy. Secretary, Road Construction Department, State of Jharkhand at Ranchi.
9. The Accountant General, Bihar at Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhanendra Chaubey, Advocate
For the Respondent/s	:	Mr. Additional Advocate General (3)
		Ms. Divya Verma, AC to AAG-3
For the AG Bihar	:	Mr. Ramyash Singh, Advocate
		Mr. Sunil Kumar Singh, Advocate
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate
		Mr. Gaurav Govinda, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the Accountant

General.



2. The petitioner has filed the present writ petition for direction upon the respondents to pay the pension due on account of retirement of Ram Ummid Mishra (deceased father of the petitioner) upto 16.05.2024 and family pension upto 31.08.2024 and also the arrear amount to the tune of Rs.2,02,853/- for the period from 13.04.1985 to 31.01.1985 with interest and promotional benefits of the deceased father of the petitioner from Junior Engineer to Assistant Engineer.

3. Learned counsel for the petitioner submits that during the pendency of the instant writ application, the concerned authorities have come out with a letter whereby the entitlement with respect to arrears of salary to the tune of Rs.2.02,853/- has been sanctioned and appropriate letter vide Memo No.3171(s) dated 17.04.2025 has been written to the Office of the Accountant General for ensuring payment. It has next been submitted that by referring to paragraph 7 that after issuance by the authorities with regard to pension/family pension, the Department is not required to issue any sanction order and as such, has no role in payment of pension/family pension and if certain pension/family pension has not been paid without any reason, the petitioner may approach the concerned Treasury Officer for the same.



4. Taking into account such statement made in the counter affidavit, the petitioner has also represented before the Treasury Officer, Patna Secretariat, for crediting the amount in question in his favour, at which the same has been credited in the account of the petitioner.

5. It has next been submitted that the amount which was withheld by the respondents to the tune of Rs.2,02,853/- for unexplained reasons they should be obliged to pay bank interest over the same which is applicable as of today and further, the petitioner proposes to file a representation before the concerned authorities with respect to the interest and it goes without saying that the amount which was withheld without any valid reason, the petitioner is entitled to interest and for that the representation which the petitioner proposes to file, is required to be considered in the light of the fact that as per the petitioner, it was not the fault of his because of which the amount was not disbursed to him, and if it is ascertained that because of the inaction on the part of the respondent officials, such amount was not paid within the time specified, then appropriate interest shall be awarded in favour of this petitioner and further for remaining dues, the representation which the petitioner has already submitted before the Treasury Officer, is required to be



immediately addressed by the authority competent in law and needful be done within a period of four weeks from the date of production of copy of this order.

6. Accordingly, the writ petition stands disposed off.

(Ajit Kumar, J)

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