

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1179 of 2022

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Bhakti Vinod Pandey, Son of Late Ramakrit Pandey, Resident of Village-
Devkali, P.O.-Bir, P.S.-Dhanarua, District-Patna, Bihar-804451.

... .. Petitioner/s

Versus

1. The Government of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director Head (Administration), Bihar Health Service, Patna-7.
4. The Superintendent, Nalanda Medical College and Hospital, Agamkuan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Rama Kant Singh, Advocate

For the Respondents : Mr. Mujtabaul Haque, GP-12

Mr. Manish Kumar, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-03-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following reliefs :-

*“A. For quashing the office order vide
Letter No. 1646, Patna, dated 16/04/2018 as
contained in Annexure- 2 issued under signature
of Superintendent, Nalanda Medical College and
Hospital, Patna-7 by which claim of one time
travel allowance(After retirement) of petitioner
has not been accepted on the ground that the
voucher of the vehicle has not been submitted
and further quashing the order dated 03/05/2021
of Lokayukta, Bihar, Patna in Case no. 02/*



Public (Health & Family Welfare) 04/2019 as contained in Annexure- 6 by which claim of one time travel allowance(After retirement) of petitioner has been rejected and also for commanding the respondent authorities to immediately provide one time travel allowance to the petitioner who has superannuated on 31/10/2013.

B. For commanding and directions be given to Respondent authorities to immediately provide one time travel allowance with @ 18% interest along with compensation for harassment to the petitioner.

C. And also for any other relief or reliefs for which the petitioner is found entitled in the eye of law.”

3. The case of the petitioner in brief is that having retired as *Kaksha Sevak* (Ward Servant) from the Nalanda Medical College and Hospital (NMCH) on 31.10.2013, the petitioner filed a representation before the respondents on 21.3.2018 praying for payment of travel allowance after his retirement.

4. It is submitted by learned counsel for the petitioner that in case a person on his retirement moves from his present residential address to his permanent address and the distance is more than 20 kms, the person is entitled for travel allowance. The petitioner residing at a distance of more than 20 kms from



his permanent address, he filed the representation praying for grant of travel allowance. A copy of the representation has been brought on record as Annexure-1 to the writ application. It is further submitted by learned counsel for the petitioner that by order contained in letter dated 16.4.2018 of the Superintendent, NMCH, the representation of the petitioner came to be rejected. Even the petition before the Lokayukta, Bihar was also rejected by order dated 3.5.2021. It is these two orders i.e. order dated 16.4.2018 as also the order dated 3.5.2021, which are under challenge in the instant writ application.

5. Learned counsel for the respondents submits that from perusal of the order impugned dated 16.4.2018 it would transpire that except for a representation having been filed by the petitioner making unsubstantiated statements therein, no documents in support of the statements has been brought on record. The representation of the petitioner for payment of the Leave Travel Allowance was rightly rejected. There is no merit in the instant writ application and the same be dismissed.

6. Having heard learned counsel for the parties and having perused the contents of the petition, it transpires that much after his superannuation on 31.10.2013, the petitioner on 21.3.2018 (Annexure-1) filed a representation praying therein



that as he had to move more than 20 kms from his present address to his permanent address, he be provided with the Leave Travel Allowance.

7. The representation filed by the petitioner came to be rejected by the order impugned contained in letter dated 16.4.2018. A perusal of the letter dated 16.4.2018 would show that the reasons given therein for rejection of the petitioner's representation are firstly that the representation/petition has been filed by the petitioner more than 4 years 4 months after his date of retirement i.e. 31.10.2013. It further states that his application (a copy of which is Annexure-1 to the writ application) neither gives the details of his present place of residence from where he moved to his permanent abode nor does he give any further evidence in support of the address and as to what distance the petitioner had to travel by what means. The petitioner was given an opportunity to produce the documents, vouchers etc. within a period of one week. The petitioner not having been able to produce the same, no relief was granted and as such the instant writ application.

8. It further transpires from the order of the learned Lokayukta that in absence of any documents and for the reasons noted in the order dated 16.4.2018, the said order was not



interfered with by the learned Lokayukta.

9. Having perused the contents of the petition and especially the order dated 16.4.2018, no material having been brought in support of the contentions/case by the petitioner, the petition of the petitioner was rightly rejected by the respondents.

10. The Court finds no merit in the instant writ application and the same is dismissed.

(Partha Sarthy, J)

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