IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15266 of 2023

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

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

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

