

(2020) 06 PAT CK 0084

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 17083 Of 2018

Brij Kishore Tiwary

APPELLANT

Vs

State Of Bihar And Others

RESPONDENT

Date of Decision : 08-06-2020

Acts Referred:

Citation : (2020) 06 PAT CK 0084

Hon'ble Judges : Prabhat Kumar Singh, J

Bench : Single Bench

Advocate : Shree Kant Pandey, Sheo Shankar Prasad

Final Decision : Disposed Of

Judgement

Prabhat Kumar Singh, J

Heard counsel for the petitioner and the respondents.

This writ petition has been filed by the petitioner for issuance of a writ in the nature of Mandamus directing and commanding the respondent authorities to fix the pension of the petitioner, on the last pay-drawn by him at the time of retirement (28.02.2017) and pay the difference of all amounts on that scale (Rs. 5500-9000) and retired at the scale of RS. 24880.00, such as, gratuity, leave encashment etc. which is paid on the basis of wrong fixation of pay and/or pass any appropriate order/orders. In paragraph 7 of the writ petition, he submits that he has also filed representation before the Superintendent of Police, Buxar on 2.5.2018 (annexure 3 to the writ petition) but the same has not been disposed of. It is also the prayer of the petitioner that his representation may be disposed of by the authorities in light of annexure 6, which is a letter dated 8.1.2015, issued under the signature of the Secretary (Finance) to the Accountant General (A & E), Bihar.

Counter affidavit has been filed on behalf of respondent no. 5.

In view of the aforesaid facts and circumstances, the petitioner is directed to file

a comprehensive representation before the respondent no. 5 within a period of three months from the date of receipt of this order. In the event such representation is filed, respondent no.5 would dispose of the same in light of Annexure-6 by speaking order within three months thereof.

It is made clear that if any admitted dues is found to be paid to the petitioner, the same shall be paid within the said period.

With the aforesaid direction, the writ petition is disposed of.