
(2008) 08 JH CK 0005
In the Jharkhand High Court

Dr. Uma Shankar Prasad Srivastava

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 29-08-2008

Acts Referred:

Citation : (2009) 1 JCR 131

Hon'ble Judges : Dabbiru Ganeshrao Patnaik, J

Bench : Single Bench

Judgement

D.G.R. Patnaik, J.—Prayer in this writ application has been made by the petitioner for directing the Respondents to forthwith pay the retiral dues to the petitioner including Provident Fund, Pension, arrear of pension, gratuity, Earned Leave of 300 days, transfer allowances and cost of fuel used for Government Duty including statutory interest till date of payment etc., which has not been paid till date even though he has retired from service on 31st January, 2008 and has submitted repeated representations to the concerned respondents, the last being on 16.1.2008.

2. Learned Counsel for the petitioner explains that even though the petitioner has retired from service on 31.1.2008 and filed several representations for payment of the retiral dues but the decision on the same had been unduly withheld.

3. Learned J.C. to Sr. S.C. I, representing the respondent-State who is present, submits that the representation of the petitioner is pending before the respondent No. 3 and it is being processed.

4. Admittedly, the petitioner after completing his service, had superannuated on 31st January, 2008 and, is therefore, entitled to claim and receive his retiral benefits.

Considering the above facts, the respondent No. 3 is directed to consider and dispose of the representation of the petitioner filed on 16.1.2008 and to ensure that the retiral benefits which are payable to the petitioner be released to him.

The petitioner is directed to file a copy of his representation dated 16.1.2008 alongwith a copy of this order before the respondent No, 3 and within a period of three months from the date of filing of a copy of his representation, the respondent No. 3 shall dispose of the matter as indicated above. Let it be noted that in the event of any further delay, even after passing of this order in payment of the retiral benefits of the petitioner, the petitioner shall be entitled to claim and receive interest @ 12 per cent per annum on the amount due till the final date of payment.

5. With these observations and directions, this writ application stands disposed of.