

(2010) 11 PAT CK 0133
In the Patna High Court
Case No : CWJC 18445 of 2010

Jai Prakash Singh

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 15-11-2010

Acts Referred:

Citation : (2011) 1 PLJR 523

Hon'ble Judges : Shailesh Kumar Sinha, J

Bench : Single Bench

Judgement

Shailesh Kumar Sinha, J.—Heard learned Counsel for the Petitioner and the State as also the learned Counsel for the Accountant General.

2. The grievance of the Petitioner is with regard to the payment of pension and gratuity and other retiral dues, as highlighted in the writ application.

3. Learned Counsel appearing for the Respondents submits that the Petitioner is not entitled to receive any pension in view of the Division Bench decision of this Court in the case of State of Bihar and Others Vs. Arya Devi and Others . Learned Counsel for the Petitioner, however, submits that in view of the earlier Division Bench decision of this Court in the case of Sona Devi Paswan Vs. The State of Bihar and Others, , the Petitioner is entitled to receive the pension.

4. In view of above decisions, which were placed for consideration in L.P.A. No. 377 of 2006 (Geeta Devi v. The State of Bihar and Ors.), the matter has been admitted for hearing by a Full Bench, vide order dated 3.4.2007.

5. The learned Counsel for the parties submits that the writ application may be disposed of directing the Respondent concerned to consider the entitlements and payment of the admitted dues, if any, to the Petitioner.

6. Learned Counsel for the Petitioner submits that for expeditious payment of the admitted dues, the Petitioner shall be placing his claims before the District Superintendent of Education, Chapra (Respondent No. 5), with a copy to the

Director, Primary Education, Human Resources Department, Government of Bihar, Patna. In case such a representation is filed stating the details of his grievances as also enclosing the copy of the relevant documents, if any, in support of such claims alongwith the certified copy of the present order within a period of four weeks, the grievances of the Petitioner as raised in his representation be considered in accordance with law expeditiously, preferably within a period of six months on receipt of such representation. However, upon consideration, if any claim is found admissible for payment, the same may also be paid expeditiously, preferably within the next six weeks.

7. The writ application is, accordingly, disposed of with the liberty to the Petitioner to reagitate his claim for rest of the retirement benefits, if any, including pension, after the disposal of L.P.A. No. 377 of 2006.