
(2002) 09 JH CK 0048
In the Jharkhand High Court
Case No : Writ Petition No. 5044 of 2002

Jai Subodh Jha

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 12-09-2002

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2002) 09 JH CK 0048

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : Vijay Shankar Jha, for the Appellant; Murlidhar Mishra, JC to Govt. Pleader II, S. Srivastava, for Accountant General, for the Respondent

Judgement

S.J. Mukhopadhaya, J.—According to petitioner he has retired from the services of the State on 31st October, 1996 from the post of Executive Magistrate, under SDM Bermo, Tenughat. It is alleged that the respondents have not yet paid retiral benefits such as pension, gratuity and leave encashment on fixation of pay in the revised scale as also the GPF.

2. In the facts and circumstances, the case is remitted with liberty to petitioner to move before the competent authority who will finalize the pension, gratuity and leave encashment of petitioner and pay the admitted retiral benefits in the revised scale of pay and the GPF amount within three months from the date of receipt of the representation, failing which the respondents will be liable to pay interest @ 5%, apart from statutory interest, from the date of retirement.

3. In case the respondents withhold or adjust any amount will forward the ground(s) to the petitioner within the period aforesaid.

4. The petitioner will produce a copy of this order before the Secretary, Personnel and Administrative Reforms Department, Govt. of Bihar, Secretary, Personnel and Administrative Reforms Department, Govt. of Jharkhand, District Provident Fund Officer, Giridih and the Accountant General, Bihar and Jharkhand for compliance.

5. The writ petition stands disposed of with the aforesaid observations and directions.