
(1999) 06 PAT CK 0020
In the Patna High Court
Case No : C.W.J.C. No. 10967 of 1998

Pahlu

APPELLANT

Vs

Patna Municipal Corporation and Others

RESPONDENT

Date of Decision : 25-06-1999

Acts Referred:

Citation : (1999) 3 BLJR 2136

Hon'ble Judges : Choudhary S.N. Mishra, J

Bench : Single Bench

Judgement

Choudhary S. N. Mishra, J.—This relates to the payment of the retiral dues to the petitioner who retired from the service on 30-6-94. This is the second attempt on behalf of the petitioner for grant of the relief sought for in the writ application. The petitioner came to this Court earlier in C.W.J.C. No. 3499/95 which was disposed of with an observation to pay the admitted dues, legally payable to the petitioner within the time mentioned therein. Pursuant thereto the petitioner filed a representation before the respondent Corporation. It is submitted that the respondent-Corporation has arbitrarily calculated the amount and paid only a sum of Rs. 33,885/- where as according to the petitioner, a sum of Rs. 1,28,718.08 is still payable to the petitioner. The grievance of the petitioner is that the calculation made by the respondent Corporation is not correct and actual amount legally payable to the petitioner is Rs. 1,28,718.08 as per the calculation made vide Annexure-3 to this writ petition. Having regard to the relief sought for in this writ application, this Court at this stage is not in a position to pass any positive order.

2. Accordingly, if the petitioner so advised, may file a comprehensive representation before the respondent-Administrator who will hear the petitioner and/or his representative and dispose of the same by a speaking order, in accordance with law, without being prejudiced by the order of this Court, within six weeks from the date of filing of such representation. Pursuant thereto if the claim of the petitioner is found to be genuine, he must be paid accordingly within

four weeks thereafter. It goes without saying that the petitioner will be at liberty to raise all the questions which are involved in this writ application including the date of superannuation,

3. This disposes of the writ application.