

(2001) 07 JH CK 0004

In the Jharkhand High Court

Case No : Writ Petition (S) No. 3047 of 2001

Sri Lakshmi Narain Das

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 16-07-2001

Acts Referred:

Citation : (2001) 07 JH CK 0004

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

Bench : Single Bench

Advocate : Kaushalendra Prasad, for the Appellant; Rabindra Prasad, J.C. to S.C. I, for the Respondent

Judgement

S.J. Mukhopadhaya, J.—As the matter relates to payment of retired benefits with certain oilier dues and the matter requires determination by the respondents at the first instance, the case is disposed of at this stage.

2. According to petitioner he superannuated from the services on 31st August, 1999 from the post of correspondence clerk in the office of Executive Engineer, Road Construction Department, Dumka Division, Dumka.

3. The grievance of the petitioner is that respondents are not finalising the pension from September, 1999 and part of the Gratuity amount taking into consideration the revised scale, as allowed by the State Government, with effect from 1.1.1996. The petitioner has also prayed for arrears of salary in view of time bound promotion granted by order dated 29th November, 1999 by District Accounts Officer, Dumka.

4. Having regard to the facts and circumstances, the case is remitted to respondents with direction to finalise the pension and gratuity of petitioner taking into consideration the revised scale if any, allowed since 1.1.1996. On such finalisation, further amount is found payable towards arrears of pension and gratuity, the admitted dues be paid within three months from the date of receipt/production of a copy of this order. On failure, the respondents will liable to pay

interest @8 per cent, to be calculated from the date of retirement.

5. So far as the arrears of salary and time bound promotion is concerned, the authorities will determine the claim by a reasoned order within three months and pay the admitted dues, if any, within a period of one month thereof. If any adverse decision is taken, the respondents will communicated the ground to petitioner within the aforesaid period.

6. This writ petition stands disposed of.