
(2005) 02 JH CK 0070
In the Jharkhand High Court
Case No : Writ Petition (S) No. 667 of 2005

Sukhdeo Ram

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 16-02-2005

Acts Referred:

Citation : (2005) 2 JCR 324

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

Bench : Single Bench

Advocate : P.K. Mukhopadhaya and Gautam Kumar, for the Appellant; S.K. Verma, S.C. (Mines) and S. Shrivastava, for the Respondent

Judgement

S.J. Mukhopadhaya, A.C.J.

1. This writ petition has been preferred by petitioner for direction on respondents to compute his final pension after fixation of pay-scale in the light of three promotions granted to the petitioner vide order dated 4th September, 1992 and 31st August, 1998, as contained in Annexures 1 to 3.
2. It appears that the petitioner, while in service, was punished vide Memo No. 334 dated 3rd August, 1999 and subsequently, he retired on 30th April, 2000. However, it is not clear as to why pension has not been finalized taking into consideration the orders of promotion as referred above, if it has been granted.
3. Counsel for the Accountant General, Jharkhand referred to one of the enclosures (Annexure-6), a copy of Memo No. 567 dated 2.6.2000. By the said order, the Deputy Collector (Establishment), Dhanbad has passed orders with regard to part of the period. However, rest of the matter requires to be determined by the authorities.
4. In the facts and circumstances, the petitioner is given liberty to approach the Deputy Commissioner, Dhanbad, who will pass appropriate order within a period of six weeks from the date of receipt of representation and communicate it to the

Accountant General, Jharkhand, if so required. The respondents will finally decide the issue and pay the admitted benefits, if found payable within four months from the date of receipt of representation failing which they will be liable to pay interest at the rate of 5 per cent on the admitted retrial benefits.

5. On the other hand, if one or other authority disputes the claim or part thereof will communicate the ground to the petitioner.

6. The writ petition stands disposed of with the aforesaid observations/directions.