

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P. (S) No. 5470 of 2019**

Mithilesh Kumar, aged about 64 years, son of Late Bhagwat Sharma,  
resident of Sarveshwari Nagar Hehal, P.O. & P.S. Hehal, District- Ranchi,  
Jharkhand

... **Petitioner**

**-Versus-**

1. The State of Jharkhand through the Secretary, Food, Public Distribution and Consumer Grievances, Govt. of Jharkhand, P.O. & P.S. Doranda, District- Ranchi
2. The Joint Secretary, Food, Public Distribution and Consumer Grievances, Govt. of Jharkhand, P.O. & P.S.- Doranda, District- Ranchi
3. The Deputy Commissioner, Koderma, P.O., P.S. & District- Koderma
4. The District Supply Officer, Koderma, P.O., P.S. & District- Koderma
5. The Treasury Officer, Koderma, P.O., P.S. & District- Koderma
6. The Accountant General, Jharkhand, Ranchi, P.O. & P.S.- Doranda, District- Ranchi, Jharkhand

... **Respondents**

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**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI**

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For the Petitioner	: Mr. Rahul Kumar, Advocate
For the Respondent-State	: Ms. Puja Agarwal, A.C. to A.A.G.-II
For Respondent No.6	: Mr. Amit Kumar Verma, Advocate

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06/09.07.2020. Heard Mr. Rahul Kumar, learned counsel for the petitioner, Ms. Puja Agarwal, learned counsel for the respondent-State and Mr. Amit Kumar Verma, learned counsel for respondent no.6.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard on merit.

Mr. Rahul Kumar, learned counsel for the petitioner undertakes that he will deposit Court Fee Stamp of Rs.5/- which is wanting on affidavit, in course of the day.

On the above undertaking of learned counsel for the petitioner, this matter is being heard on merit.

The petitioner has preferred this writ petition for direction to the respondents to pay the monetary benefits under 2<sup>nd</sup> M.A.C.P. granted to the

petitioner vide order dated 27.06.2017. The further prayer is made in the writ petition for direction to the respondents to pay the retirement benefits such as gratuity, leave encashment, group insurance, fixation of full and final pension, commutation of pension, arrears of pension from the date of retirement i.e. 31.01.2015 till date and travelling allowance upon revision of the last pay scale of the petitioner in the light of the M.A.C.P. benefits payable to the petitioner.

Mr. Rahul Kumar, learned counsel for the petitioner submits that during the pendency of this writ petition the petitioner has already received the amount of group insurance, provident fund and A.C.P. He further submits that the amount of pension, gratuity and leave encashment has not been paid to the petitioner as yet. By way of referring Annexure-1 to the writ petition, he submits that the documents, required for pensionary benefits, had already been submitted by the petitioner online. He further submits that in spite of submission of the required documents, the retirement benefits have not been paid to the petitioner as yet. This is the fault lies on the part of the respondents.

Learned counsel for the respondent-State submits that the amount of group insurance, provident fund and A.C.P. has already been paid to the petitioner. She further submits that the petitioner has not submitted the required documents as yet and that is why the payment has been delayed.

Seeing Annexure-1 to the writ petition, it transpires that the required documents has already been submitted by the petitioner online. However, this writ petition is being disposed of with direction to the respondents to immediately forward the necessary documents for payment of pension, gratuity and leave encashment to the office of the Accountant General so that the benefit will be accrued in favour of the petitioner at the earliest. The petitioner undertakes that he will cooperate with the Department, if any clarification of documents is required

by the Department. This exercise must be completed within a period of eight weeks from the date of receipt/production of a copy of this order. The statutory interest on delayed payment of pension, gratuity and leave encashment will also be considered by the respondents.

With the above observation and direction, this writ petition stands disposed of.

**(Sanjay Kumar Dwivedi, J.)**

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