

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.674 of 2007**

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Bal Kishun Sao, son of late Mauzi Sao, resident of Mohalla Central Lohanipur (Upadhaya Lane), Near Corporation School, Railway Hunder Road, P.S. Kadam Kuan, Distt. Patna, PIN 800 003.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Govt. of Bihar, Patna
- 1A. The Director, Higher Education, Govt. of Bihar, Patna
2. The Vice Chancellor, Magadh University, Bodh Gaya
3. The Registrar, Magadh University, Bodh Gaya
4. The Finance Officer, Magadh University, Bodh Gaya
5. The Principal, College of Commerce, Patna

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s :

For the Respondent/s :

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

36    24-12-2014

Heard learned counsel for the parties.

A rejoinder has been filed on behalf of the petitioner.

The controversy now remains with regard to recovery of Rs. 2,67,070/- made from the gratuity and pension arrears of the petitioner on the ground that promotion given to him to the post of sorter was irregular.

In view of the aforesaid, this Court cannot go into the aspect as the same has to be agitated in a separate proceeding before the appropriate Bench assigned the subject matter.

Accordingly, the application stands disposed off with liberty to the petitioner to move before the appropriate forum in accordance with law challenging such recovery.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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