

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14885 of 2015

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Hari Shankar Ram S/o - Late Narhu Raut R/o - Village - Tumariya Tola, P.O. and
P.S. - Raxaul, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. The Principal Secretary, Water Resources Development Department,
Government of Bihar.

3. Chief Engineer, Water Resources Department, Balmiki Nagar, Bihar.

4. Executive Engineer, Ghorasahan Canal Division, Raxaul, East Champaran,
Bihar.

5. Treasury Officer, East Champaran.

6. Accountant General (A & E), Bihar.

.... 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

Date: 01-10-2015

Heard learned counsel for the parties.

It appears that initially the provisional pension was
granted to the petitioner on the ground that certain promotions granted
to him have been found to be irregular by the Department.

Accordingly, the Chief Engineer, Water Resources Department, Balmiki Nagar, by order contained in Memo No. 1498 dated 29.06.2011, has cancelled the same and directed for recovery of excess payment made to the petitioner on account of promotion and overstay in service.

The Court has been informed that the petitioner has challenged the order dated 29.06.2011 passed by the Chief Engineer of the Department in CWJC No. 2651 of 2014.

Learned counsel for the petitioner submits that even the provisional pension was stopped. However, from the averments made in the counter affidavit filed on behalf of respondents no. 3 and 4, it has been stated that for some period the provisional pension was stopped due to objection raised by the Treasury but after clarifying the position, it has been directed to start payment and the bill has already been sent to the Treasury.

In view of the aforesaid, the writ petition stands disposed off with the observation that the respondents would pay the admitted dues of the petitioner expeditiously in light of the order that may be passed by the Court in CWJC No. 2651 of 2014.

(Ahsanuddin Amanullah, J)

Anjani/-

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