

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19787 of 2013

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Arbind Mehtha Jalwi, son of Ramji Mehtha Jalwi, resident of Mohalla-
Malighat, P.S- Mithanpura, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar
2. Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
3. Director, Primary Education, Department of Human Resources, Government of Bihar, Patna
4. District Superintendent of Education, Muzaffarpur.
5. District Programme Officer (Estb.), Muzaffarpur.
6. District Provident Fund Officer, Muzaffarpur.
7. Block Education Officer, Kanti District- Muzaffarpur.
8. Accountant General, Bihar, Patna.
9. Headmaster, Government Middle School, Mustafapur, Block Kanti, District- Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Respondent/s : Mr. AC to GP-31

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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11 16-01-2015 Heard learned counsel for the petitioner and learned
AC to GP-31.

The petitioner invoking writ jurisdiction under Article-226 of the Constitution of India has made a prayer for directing the Respondents to pay full pension. Of course, in the writ petition, no statement has been made regarding other retiral dues, by filing supplementary affidavit, he has prayed for making payment of gratuity amount. It is accepted that 90 % of pension amount is being paid to the petitioner. In the counter

affidavit, it has been indicated that the petitioner has been paid the amount under the head of G.P.F., G.L.I and he is getting provisional pension. In respect of gratuity amount, it has been indicated that departmental proceeding against the petitioner is still pending and huge amount is required to be recovered.

In view of fact that departmental proceeding is still pending, at the moment no positive order can be passed either for payment of full pension or gratuity amount in view of stand taken in the counter affidavit. The Court expects that the authority concerned may take steps for concluding the departmental proceeding expeditiously. Thereafter, the petitioner would be at liberty to avail appropriate remedy.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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