

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4067 of 2014

In
Civil Writ Jurisdiction Case No. 7651 of 2014

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Arun Kumar Tripathy Son of Late Ram Naresh Tripathy, resident of 201, C Block Lekhraj Parisar, Road No. 3, Patel Nagar, Patna-23, District-Patna, suspended Block Welfare Office and Head Quarter fixed at District Welfare Officer, Saharsa (Now discharge from service).Petitioner

Versus

1. The State of Bihar through the Secretary Department of SC/ST Welfare, Govt. of Bihar, New Secretariat, Patna namely Shri Hukum Sinha Minna.
 2. Shri Hukum Singh Minna, the Principal Secretary, Department of SC/ST Welfare, Govt. of Bihar, Patna.
 3. Sri Ram Ashish Paswan, the Director Department of SC/ST Welfare, Govt. of Bihar, Patna.
 4. Sri Randhir Verma, the Deputy Director Welfare (SC/ST), Tirhut Range Muzaffarpur.
 5. Sri Mahesh Prasad, the District Welfare Officer. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh
For the Respondent/s : Mr. Manoj Kumar Ambastha, GP-14
Mr. Subodh Kumar, AC to GP-14

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-08-2015 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the State has lodged a criminal case against the petitioner who was put behind the bar, later on, released on bail. He was proceeded departmentally and dismissed from service. He approached in CWJC No. 7651 of 2014 and this Court passed the following orders:-

“Petitioner is therefore directed to appear before the B.D.O., Saharsa with a certificate that he was not gainfully employed anywhere else after his suspension within a week, who is directed to get the petitioner’s attendance marked and ensure that all arrears of his subsistence

allowance is paid to him positively within one month from the date of his appearance and shall further ensure that his subsistence allowance on month to month basis is paid to him till the final conclusion of the departmental proceeding or till any order of any competent authority is passed in the matter.

It is made clear that this Court has not gone into any other issue raised in the writ application. Hence, petitioner will be at liberty to raise those issues at any subsequent stage before any appropriate forum in an appropriate proceeding.

This writ application is disposed of with the aforesaid observations and directions.”

The counsel for the State has brought to notice to the letter dated 21st February 2015 thereby showing the payment of subsistence allowance to the tune of Rs.4,03,020/-(four lacs three thousand and twenty rupees) for the period the petitioner was under suspension.

The Court is not giving any opinion on the merit with regard to the order passed after the departmental proceeding.

In such view for the matter, this Court finds that no contempt is made out at the present situation. Accordingly, this application is dismissed.

(Shivaji Pandey, J)

Mahesh/-

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