

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22331 of 2014

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Baban Singh Son of Late Ram Raj Singh Resident of Village and Post Belhari, P.S-
Sikranlakh District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Health Services, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Government of Bihar, Patna.
4. The Deputy Director, Health Services, Government of Bihar-cum-State
Programme Officer (Filaria), Government of Bihar, Patna.
5. The Assistant Director, Health Services (Filaria), Swasth Bhavan, Patna-6.

.... 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: 09-10-2015

Heard learned counsel for the parties.

Pursuant to order dated 24.09.2015, supplementary
counter affidavit has been filed on behalf of the respondents in which
it has been stated that provisional pension of the petitioner has been
restored and bill for payment of provisional pension as well as arrears
has already been forwarded to the District Treasury Officer, Patna

under letter no. 547 dated 05.10.2015. The further stand of the respondents, as per their first counter affidavit, was that due to pendency of a departmental proceeding pursuant to the petitioner having been caught red handed accepting bribe, only provisional pension had been granted and further that enquiry report in the departmental proceeding has been submitted and the same was being processed and final order shall be passed.

In view of the aforesaid, the writ petition stands disposed off with a direction to the respondents to ensure that the provisional pension of the petitioner is continued but shall be subject to the final decision in the departmental proceeding against the petitioner. The petitioner shall be at liberty, if required, to take appropriate steps in accordance with law with regard to any order which may be passed in such departmental enquiry. The Court would only like to observe that the actual payment to the petitioner should be started, if already not done.

(Ahsanuddin Amanullah, J)

Anjani/-

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