

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18846 of 2011

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Yogendra Prasad Ram son of late Bhola Ram Kevani, P.O. + P.S. Garkha,
& Distt. Saran

.... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary Department Of H.R.D.
New Secretariat Govt. Of Bihar Beli Road, Patna
2. The Accountant General, Virchand Patel Path, Govt. Of Bihar, Patna
3. District Superintendent Of Education at Chhapra, Distt. Saran
4. District Magistrate At Chhapra, Distt.Saran
5. The District Education Extension Officer at Garkha, Distt. Saran
6. The Block Education Extension Officer at Garkha, Distt.Saran
7. The Head Master In Charge at Govt. Primary School At Bajitpur Block
Garkha, Distt. Saran
8. The Treasury Officer at Chhapra Distt.Saran

.... Responent/s

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Appearance :

For the Petitioner : Mr. S. S. P. Yadav, Advocate

For the State : Mr. Mrigendra Kumar, AC to GA 11

For the Accountant General : Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

6 30-01-2015

Heard learned counsel for the parties.

The petitioner has moved the Court seeking fixation of final pension and gratuity.

It appears from the stand taken in the counter affidavit and submissions of learned counsel for the State that the issue is not being finally settled as the petitioner has not handed over the charge in the prescribed proforma after his superannuation on 30.09.2010 from the post of Head Master In-charge of Primary School, Bajitpur under Garkha Block of District Saran.

In order to cut short the matter, learned counsel for the parties agree that the petitioner may appear before the District Programme Officer (Establishment), Saran (the then District Superintendent of Education) within two weeks from today along with a copy of this order. The concerned officer shall thereafter give an opportunity to the petitioner to explain the so called excess withdrawal of fund from the school account by the petitioner.

The said exercise shall be completed within two weeks of the petitioner appearing before the District Programme Officer (Establishment), Saran. The authority shall then fix and sanction final pension and gratuity to the petitioner within three weeks in light of the result of the exercise indicated hereinabove. Thereafter, the sanction shall be forwarded to the Accountant

General, Bihar who shall issue necessary authorization within the next two weeks. The State authorities shall ensure that the payment in terms of the authority issued by the Accountant General, Bihar is made to the petitioner within the next three weeks.

The writ petition stands disposed off in the aforementioned terms.

It goes without saying that the authority concerned shall also ensure that whatever consequential benefits in accordance with law are required to be paid to the petitioner, the same are also made within the timeframe indicated above.

(Ahsanuddin Amanullah, J)

Anjani/-

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