

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6354 of 2014

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Yogendra Prasad Son Of Late Prabhu Prasad, Resident At Mohalla-
Mirasadan, Nav Tolia, Jamalpur Road, P.S. Kasim Bazar, Distt. Munger
..... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Munger Division, Munger
3. The Secretary, Urban Development and House Department, Bihar, Patna
4. The Municipal Commissioner, Municipal Corporation, Munger, Distt.
Munger
5. The Executive Officer, Municipal Corporation, Munger, District- Munger
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate.

For the Respondent/s : Mrs. Archana Prasad, AC to SC 16.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 22-05-2015 Heard learned counsel for the parties.

2. Having regard to the fact that the petitioner claims payment of retirement benefit in this writ application and that the respondents, by filing a counter affidavit, copy whereof has already been served on learned counsel for the petitioner way back on 08.07.2014, states that under an order dated 26.05.2013, all the retirement benefits of the petitioner have been withheld after following the due procedure as also the fact that the petitioner is also facing criminal prosecution for defaulcation of Rs. 24,29,917/- in Kotwali Town P.S.Case No. 115 of 2013 dated 25.04.2013 and yet another criminal case being Kotwali P.S.Case No. 238 of 2013 for not depositing the deducted amount of

provident fund of the employees of the Nagar Nigam, Munger for a period of over 10 years, this Court would not find the petitioner entitled for payment of retirement benefit till the criminal case against him is concluded and the order withholding the retirement benefit, as noted above, is set aside by the competent authority/court.

3. That being so, this writ application is, accordingly, disposed of.

(Mihir Kumar Jha, J)

Sujit/-

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