

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5335 of 2013

In

Civil Writ Jurisdiction Case No. 15260 of 2009

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Smt. Radha Kumari W/O Subhash Choudhary R/O Village Pansalla, P.S.
Sultanganj, District Bhagalpur.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Amrica Prasad, Area Education Officer, Presently Posted As D.P.O.
(Establishment), Madhepura.
3. Ram Pukar Mahto, Area/Regional Education Officer, Presently Posted
As B.E.O. - Block Jalalgargh, District Purnia.
4. Bhobesh Chandra Murmur, District Superintendent Of Education,
Presently Posted As B.E.O. - Block Islampur, District Naogachia At
Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amiya Kunal

For the Respondent/s : Mr. Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 01-04-2015 Heard learned counsel for the parties.

Pursuant to the earlier order of this Court dated 11.2.2015, Mr. Ajay Kumar, learned counsel for the opposite parties has produced a copy of the order contained in memo no. 908 dated 23.3.2015. By the said order, the departmental proceeding against the petitioner has been concluded and the petitioner has been exonerated of the charges framed against him.

In view of the subsequent development, the contempt proceeding is dropped but, nothing said in the order of this Court in the connected writ application, CWJC No. 15260 of 2009 or

anything said in the order passed by this Court in the contempt application including the acceptance of the cause shown by the District Programme Officer (Establishment), Bhagalpur in Memo No. 908 dated 23.3.2015 shall come in the way of the department in pursuing the criminal case pending against the petitioner for defalcation of the government fund. As a matter of fact, the petitioner can be also subjected to any adverse order in terms of the Bihar Pension Rules once it is found that the charge of defalcation against her is substantiated in the criminal case.

With the aforementioned observation and direction, this application is disposed of.

The personal appearance of Mr. Jyoti Kumar, District Programme Officer (Establishment), Bhagalpur is dispensed with.

(Mihir Kumar Jha, J)

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