

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2279 of 2014

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1. Narayan Prasad S/O Late Deoki Rai, Resident of Nalanda Colony, Khajpura,
P.O. Bihar Veterinary College, P.S. Rajiv Nagar, Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of General Administration, Govt. Of Bihar,
Patna
3. The Principal Secretary, Human Resources Development Department, Govt. Of
Bihar, Patna
4. The Accountant General, Bihar, Patna.
5. The Director (Administration) - Cum - Additional Secretary, Education
Department, Govt. Of Bihar, Patna
6. The Director, Vigilance Investigation Bureau, Govt. of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : M/S. Mrigank Mauli & Rakesh Kumar Singh
For the State : Mr. PUSHKAR NARAIN SHAHI, AAG 10
For the Vigilance : Mr. Santosh Kumar Verma

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-01-2016

Since Vigilance has already filed charge-sheet against the petitioner on 13.2.2015, the only thing which is holding back further proceeding in the trial court is non grant of sanction by the concerned department.

The Court fails to understand as to why State authorities who profess to be committed cleaning of the system for such kind of person would sleep over the issue for grant of sanction, especially when charge-sheet was filed almost a year ago. The State authorities will see that the necessary sanction etc. is authorized if there is no legal impediment in the way especially after filing of the charge-sheet,

preferably within a period of three months.

So far as withholding of 10% of pension is concerned, naturally till the petitioner comes clean in the trial, the said amount cannot be released in favour of the petitioner at this juncture.

Counsel for the petitioner submits that petitioner has not been paid the amount accrued in his favour against the leave encashment.

If such a request is made and it has not been released, let the authority take appropriate decision preferably within the same time-frame i.e. three months from the date of production of a copy of this order.

Writ application is disposed of with in terms of the above.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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