

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10137 of 2014

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Satish Chandra Sinha son of Ram Sharan Prasad resident of village + P.O. Charupar, P.S. Noorsarai, District - Nalanda, presently Posted as Panchayat Sachiv, Islampur Block, Nalanda

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Panchayat Raj Department, Govt. of Bihar, Patna
2. The District Magistrate, Nalanda
3. The District Panchayat Raj Officer, Nalanda
4. The Block Development Officer, Asthawan, Nalanda
5. The Block Development Officer, Islampur, Nalanda

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Ashok Kumar Singh, Advocate
For the State	:	Mr. A.K. Sinha, G.A.1
		Ms. Aditi Hansaria, AC to GA1

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 08-11-2016

Petitioner is a Panchayat Secretary. It is his case that after the order of transfer and after handing over charge since 2012, he is not being paid his salary because the Last Pay Certificate is not being issued to him.

On the face of it, the prayer of the petitioner looked innocuous and the conduct of the respondent unfair. But a look into the counter affidavit now indicates that the petitioner and petitioner alone is responsible for his present predicament since while handing over charge before his transfer, he has not accounted for the various advances, which he had taken for completion of projects in the

previous Panchayat. In fact even FIRs. have been instituted against him in this regard.

Till the reconciliations are made, the respondents are under no obligation to pay salary to the petitioner or even issue LPC.

It is for the petitioner now to decide how he wants to go about it, or in the alternative he may have to await the outcome of the criminal case/the departmental proceeding, which has been initiated where he can prove his innocence.

Writ is dismissed with observations as above.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	
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