

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10844 of 2016

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Nageshwar Mandal S/O Late Manik Mandal Rtd. Assistant Engineer Resident of
Sheikhapura Bagicha Po- B.V College PS- Shastrinagar, Patna 800014

.... Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Old Secretariat, Patna, Bihar
2. The Principal Secretary, RWD, Vishwesraiya Bhawan, Patna-1
3. The Principal Secretary, Road Construction Department, Vishwesraiya
Bhawan, Bailey Road, Patna.
4. The Engineer-in-Chief, RWD, Vishwesaraiya Bhawan, Bailey Road, Patna
5. The Chief Engineer-3, RWD, Vishwesraiya Bhawan, Patna-1
6. The Executive Engineer, RWD Hajipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Jha, Advocate

For the Respondent/s : Dr. Anil Kumar Upadhyay, SC 2 with
Mr. Naresh Prasad, AC to SC 2

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 16-09-2016

Heard learned counsel for the parties.

The petitioner has moved the Court seeking payment of
his retiral dues.

Learned counsel for the petitioner submits that having
superannuated on 31.01.2014, a departmental proceeding was initiated
against him on 30.06.2014. He further submits that on 09.12.2015 the

enquiry officer has submitted a report returning a finding that the charge against him has not been proved. Learned counsel submits that he has been granted only provisional pension and entire gratuity is withheld because of such departmental proceeding.

Learned counsel for the State submits that the authority would conclude the departmental proceeding as the enquiry report has already been submitted, within one month. It is also submitted that thereafter final pensionary benefits shall be sanctioned as per the order passed in the departmental proceeding.

In view of the aforesaid, the writ petition stands disposed off with a direction to the respondent no. 2 to ensure that final order is passed in the departmental proceeding started against the petitioner, within four weeks from the date of production of a copy of this order before him. Thereafter payment shall be made to him within the next six weeks in terms of the order passed in the departmental proceeding.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	NAFR
CAV DATE	N/A
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