

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.275 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 4973 of 2013**

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Loknath Prasad, Son of Late Bihari Mahto, Resident of Village Sohdi P.S., P.O. Sohrai, Dist. Nalanda

.... Appellant/s

Versus

1. The Bihar State Power (Holding) Company Ltd. Through Chief Managing Director, Vidyut Bhawan, Baily Road, Patna, erstwhile Bihar State Electricity Board Through Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Managing Director, South Bihar, Power Distribution Company Ltd., Vidyut Bhawan, Bailey Road, Patna, erstwhile The Secretary, B.S.E.B. Vidyut Bhawan, Baily Road, Patna
3. The Financial Controller, South Bihar Power Distribution Company Ltd. Vidyut Bhawan, Baily Road, Patna. erstwhile The Financial Controller, B.S.E.B. Vidyut Bhawan, Baily Road, Patna
4. The Superintending Engineer, Transmission, Biharsharif, Nalanda

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Kamla Prasad Rai Mr. Satya Ranjan Sinha Ms. Seema Kumari
For the Respondent/s	:	Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 26-07-2016

In the present Letters Patent Appeal challenge is to an order dated 28.10.2013, passed by the learned Single Bench in CWJC No. 4973 of 2013, whereby the writ application was dismissed for the reason that final settlement of pension would be dependent upon the outcome of the departmental enquiry as well as the vigilance case instituted against the appellant.

Learned counsel for the appellant admits that during the pendency of the present Letters Patent Appeal, the departmental authorities passed an order on 21st May, 2014, as a result of which the pension, gratuity and leave encashment have been forfeited.

Learned counsel for the appellant wishes to withdraw the present appeal with liberty to challenge the said order in appropriate proceeding before an appropriate forum.

In view of the said fact, this appeal is dismissed as withdrawn with liberty to the appellant to challenge the order dated 21st May, 2014 in accordance with law.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

mrl.

AFR/NAFR	NAFR
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