

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19204 of 2014

1. Md. Reyazuddin Ahmad, Son of Late Md. Sirajuddin Ahmad, resident of mohalla- Shekhawat Hussain Lane, Near Picture Palace, Khalifabag, P.S.- Kotwali, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar at Patna
2. The Principal Secretary, Revenue and Land Reforms Department, Bihar at Patna
3. The Secretary, Revenue and Land Reforms Department, Bihar at Patna
4. The Director, Revenue and Land Reforms Department, Bihar at Patna
5. The Collector-cum-Settlement Officer, Lakhisarai
6. The Assistant Settlement Officer (Head Quarter)-cum-Drawing and Disbursing Officer, Lakhisarai
7. The Charge Officer, at Lakhisarai
8. The Accountant General, Bihar at Patna
9. The District Provident Officer, Lakhisarai

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Respondent/s : Mr. GP1

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-08-2016

Petitioner is facing a departmental proceeding initiated prior to his superannuation. If this be so, there cannot be any direction for payment of his post retiral dues especially pension and gratuity in toto. However, merely because the departmental proceeding is pending, that cannot come in the way of settlement of the claim to which the petitioner is entitled to even otherwise like GPF, leave encashment, group insurance etc.

In fact, petitioner would also be entitled to provisional grant of pension.

All this must be carried out within a period of three months from the date of production of a copy of this order subject to final outcome in the proceeding.

Writ is disposed of in terms of the above.

(Ajay Kumar Tripathi, J)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	29.8.2016
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