

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16677 of 2012

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Balmiki Prasad Tiwari S/O Late Hari Prasad Mandal Resident Of Village -
Baraichak Pattam, P.O. - Pattam, P.S. - Nayaram Nagar, District - Munger

.... Petitioner

Versus

1. The State Of Bihar Through The Secretary, Deptt. of Agriculture, Govt. Of Bihar, Patna
2. The Accountant General, Bihar, Beerchand Patel Path, Patna
3. The Director Agriculture, Patna, Bihar
4. The District Provident Fund Officer, Siwan

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Sinha, Advocate.

For the Respondent/s : Mr. Shashi Bhushan Kr. SC7

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 05-02-2016 The petitioner was appointed as Horticulture Inspector in the year 1980. On completion of 30 years of service, he retired on 31.12.2009 from the post of Block Agriculture Officer, Siwan. The petitioner has prayed for payment of all retrial benefits. The petitioner was departmentally proceeded, in the year 2008. He was placed also under suspension on 24.03.2008. However, no order on enquiry report was passed for quite sometime. In the meantime petitioner retired in the year 2010. The respondents have awarded penalty deducting a part of pension. The petitioner submits that the impugned order of punishment is contrary to law.

The respondents have filed counter affidavit stating that a departmental proceeding was initiated against the petitioner.

Consequent to the departmental proceeding, 5% + 25% of pension was directed to be deducted.

Learned counsel submits that the petitioner has already challenged the order of punishment.

I have heard counsel for the parties. Subject to the result of challenge to the award of punishment, the respondents would make payment of balance of the pensionary benefits, not affected under the order of punishment.

The writ application is accordingly disposed of.

(Samarendra Pratap Singh, J.)

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