

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18279 of 2012

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Sri Hari Nandan Prasad Singh, S/o Late Sahdeo Singh, resident of
Village - Chhatarpura, Police Station - Mokama, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary,
Government of Bihar in the Department of Revenue and Land
Reforms, Bihar, Patna.

2. The Principal Secretary, Government of Bihar in the
Department of Revenue and Land Reforms, Bihar, Patna.

3. The District Magistrate, Patna.

4. The Sub Divisional Officer, Paliganj, District - Patna.

5. The Circle Officer, Paliganj, District - Patna.

6. The Nazir, Circle Office, Paliganj, District - Patna.

7. The Director, Provident Fund, Bihar, Patna.

8. The District Provident Fund Officer, Patna.

9. The Treasury Officer, Patna.

10. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar, Adv.

For the State : Mr. Jay Prakash Sharma, AC to GP-XXI

For the A.G. :Mr. Raj Nandan Prasad, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL JUDGMENT & ORDER

Date: 12-08-2016

A counter affidavit has been filed on behalf of respondent No. 10, the Accountant General, Bihar, Patna. Let it be kept on record.

2. Learned counsel, appearing on behalf of the petitioner, submits that almost all post-retiral dues admissible to the petitioner have been cleared except that a sum of Rs. 2,11,100/- has been adjusted from the cash equivalent to unutilized Earned Leave, which he was entitled to receive. He has submitted that the said amount has been withheld without any show cause notice to the petitioner.

3. Considering the submission, as above, this application is disposed of with a direction to respondent No.3, the District Magistrate, Patna, to examine the claim of the petitioner in this regard and if he is of the view that such amount has to be adjusted from the petitioner's entitlement, he will give the petitioner due opportunity of explaining his position by issuing a notice to him. If the District Magistrate, Patna, issues a notice to the petitioner in this regard, within a period of two months from today, the petitioner will be required to submit his explanation in response to the said notice within the period stipulated in such notice. The District Magistrate, Patna, shall, thereafter, be required to pass a final order considering the petitioner's response, if any. If the explanation of the petitioner does



not find favour with the District Magistrate, Patna, the District Magistrate, Patna, will be required to pass a reasoned and speaking order within a period of one month after filing of explanation, if such explanation is filed. In case, no notice is issued by the District Magistrate, Patna, within a period of two months, as indicated above, the respondents shall be obliged to release the said amount of Rs. 2,11,100/-, in favour of the petitioner immediately, thereafter.

4. This application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.8.2016
Transmission Date	N/A