

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.365 of 2017

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Jay Prakash Chaudhary, Son of Jagdish Chaudhary, resident of Village- Patari,
P.S.- Bangaon, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Govt. of Bihar Patna.
2. The Secretary SC & ST Welfare Department, Bihar at Patna.
3. The Director, SC & ST Welfare Department, Bihar at Patna.
4. The District Magistrate, Saharsa.
5. The District Magistrate, Begusarai.
6. The District Welfare Officer, Saharsa.
7. The District Welfare Officer, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Respondent/s : Mr. Madhukar Mishra, AC to SC16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 17-11-2017

Heard learned counsel for the petitioner and the State.

2. The grievance of the petitioner is that at the relevant time when the petitioner was working as incharge Headmaster, he was provided advance of Rs. 16,00,000/- (Sixteen lakhs) by the District Welfare Officer, Begusarai in connection with Miscellaneous expenses of the students of the school.

3. The petitioner submitted voucher of Rs. 5,32,856/- which was adjusted by the District Welfare Officer. He submitted that the voucher of Rs. 7,92,630/- was not passed and in the meanwhile the petitioner was transferred from Begusarai to Saharsa and from



Saharsa he superannuated on 28.02.2017 and on account of discordant attitude of the respondents in the matter of passing of voucher and adjustment of the same, the petitioner is not getting his post retiral dues. He submits that all the vouchers are duly counter signed by the concerned offices, yet the respondents are sitting tight over the matter and on one or the other pretext they are not passing the vouchers and adjusting the same, which caused hardship to the petitioner as due to non-passing of the vouchers and adjustment, he is not getting post-retiral dues.

4. In view of the fact that the petitioner superannuated on 28.02.2017 and the vouchers submitted by the petitioner for adjustment pertains to the period prior to 2016, he has mentioned in para 8 onwards that at the relevant time the then District Welfare Officer on the complaint of the petitioner to the Vigilance Department regarding demand of bribe in trap organized by Vigilance was caught red handed taking bribe of Rs.40,000/- and, as such, he has been targeted by the respondents in passing of the vouchers and adjusting the account.

5. In the totality of the facts situation, the Court is constrained to direct the respondent District Welfare Officer, Begusarai to consider the vouchers of the petitioner afresh in



accordance with law and if the vouchers are in accordance with law, the same should be passed and the amount should be adjusted, so that the post retiral and other admissible dues of the petitioner are paid without further delay. The respondent no.5, the District Welfare Officer, Begusarai is directed to take final decision in the matter of passing of vouchers already submitted by the petitioner and adjustment of the same within a period of three months from the date of receipt/production of a copy of this order. The respondent no.5 is also further directed to see that all the admissible dues are paid to the petitioner without any further delay.

6. With the aforesaid observation, this application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.11.2017
Transmission Date	NA

