

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.609 of 2016
IN
Civil Writ Jurisdiction Case No. 2833 of 2014**

=====

1. Birchandra Singh son of late Deonandan Singh resident of village - Matia, P.S. -
Baruraj, District - Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, New Secretariat Building, Bailey Road, Patna.
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, New Secretariat Building, Bailey Road, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The District Programme Officer, Establishment, Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Verma, Advocate
For the Respondent/s : Mr. Gautam Kr. Yadav, AC to GP-26

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-07-2017

The learned Writ Court disposed of the writ petition on
30th of January, 2015 directing the respondents to consider the claim
of the petitioner subject to the petitioner cooperating and during the



pendency of the Vigilance Case, the respondents were granted a right to withhold 10% of the pension payable.

It is the petitioner's case that at the time when the writ petition was disposed of, no amount was ordered to be paid to him and as the learned Writ Court refused to give a mandamus, this appeal has been filed.

From the counter affidavit and the supplementary counter affidavit filed by the respondents, we find that most of the payments have been made to the petitioner recently. However, petitioner still disputes payments of certain amounts.

If that be so, we direct the petitioner to submit a detailed claim with regard to the amounts now payable to the petitioner after settlement of his claim recently. The respondents are directed to settle the claim of the petitioner within a period of one month after withholding 10% of the pension pending finalization of the criminal case and after considering the same to pass a speaking order within 30 days thereafter. In case any grievance still subsists, petitioner may challenge the same in accordance with law. That apart, the amount settled and directed to be paid to the petitioner, if not already paid, should be released and paid to the petitioner within a



period of 30 days.

With the aforesaid, this appeal is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	7.7.2017
Transmission Date	N/A

