

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 19667 of 2015

=====

Ram Chandra Sharma, Son of Sri Ram Bhawan Sharma, Resident of Kharagpura,
P.O. Beni Bigha, P.S. Rani Talab, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director, Secondary Education, Government of Bihar, Budh Marg, Patna.
3. The District Education Officer, Patna.
4. The Accountant General, Bihar, Patna.
5. The Headmaster, Urhen Girls High School, Bihta, P.O. Beni Bigha, P.S. Rani Talab, District Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Sharma, Advocate
For the State	:	Mr. Sanjay Kumar, A.C. to A.A.G. 4
For the Accountant General	:	Mr. Anjani Kumar Sharma, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-11-2017

Heard learned counsel for the petitioner and the State.

2. The petitioner is aggrieved by the fact that even though his retiral benefits have been paid, an amount of Rs. 74,500/- has been withheld alleging illegality in withdrawal of the amount for a scheme.

3. Learned counsel for the petitioner submitted that after retirement, he had handed over charge to a clerk as there was no



successor and later on the successor has also given him 'No Objection Certificate' and only when the retiral benefits were required to be paid in terms of the earlier order of the Court dated 23.06.2015 in C.W.J.C. No. 5544 of 2015, this objection of the petitioner having wrongly drawn Rs. 74,500/- has been taken. Learned counsel submitted that the petitioner has neither been noticed nor any opportunity given to him to explain that he has no unaccounted dues.

4. Learned counsel for the State submitted that the petitioner is not precluded from moving before the authorities to explain the amount and upon doing so, proper consideration shall be given.

5. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the writ petition stands disposed off with liberty to the petitioner to appear before the respondent no. 3, within three weeks from today, along with a representation explaining the amount of Rs. 74,500/-. Thereafter, the respondent no. 3 shall verify the stand taken by the petitioner, from the relevant records and also give the petitioner personal hearing, if he so desires. The exercise shall be completed within one month from the date of the petitioner appearing before the respondent no. 3. If any amount is found due and payable to the petitioner, after the said exercise, the same shall be credited into his



account within one month thereafter.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

