

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9257 of 2016

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Md. Muslim Alam @ Muslim Alam A/o Late Mian Ali, resident of Koshi Colony, House No.-E-1, P.S.- Katihar, P.O.- Katihar, Sadar Katihar, Dist-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, New Secretariat, Bailey Raod, Patna.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Executive Engineer, Rural Works Department, Works Pramandal, Dhamdaha, District- Purnea.
4. The Executive Engineer, Rural Works Department, Works Pramandal, Barsoi, District- Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr. Shashi Shekhar Kishore
For the Respondent/s : Mr. Gyan Shankar, AC to GP 2

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

7 09-11-2017 Since the petitioner was never given a show cause or asked any explanation on the audit objection of the CAG, the failure is on the part of the State authorities and, therefore, any recovery, which is required to be done, will be required to be done against such authority, who failed to take appropriate decision at an appropriate time by seeking a response of the petitioner. In view of the same, the respondents are directed to settle the entire post retiral dues of the petitioner within a period of three months without fail.

So far as recovery of Rs. four lakh, as has been contemplated, the same cannot be done without following a due



process of law.

Writ stands disposed off in terms of the above.

(Ajay Kumar Tripathi, J)

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