

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7900 of 2014

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Dwijendra Kumar, Son of Late Shiv Narayan Prasad, resident of Flat No. 201, Sri Ganesh Sadan, Tilak Marg, North S.K. Puri, Patna - 800013

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar.
2. The Chief Engineer, Water Resources Department, Gandak Colony, Siwan.
3. The Special Secretary, Water Resources Department, Bihar, Patna.
4. The Joint Secretary (Management), Water Resources Department, Bihar, Patna.
5. The Deputy Secretary (Management), Water Resources Department, Bihar, Patna.
6. The Superintending Engineer, Flood Control Circle Padrauna, Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Respondent-State : Mr. Vijay Laxmi Srivastava, AC to SC-23

For the Respondent-AG : Mr. Kameshwar Prasad Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 10-04-2017

Referring to the contents of the counter affidavit filed on behalf of respondent no.5, learned counsel for the State submitted that prior to filing of the writ application, except pension and gratuity, all other retiral dues of the petitioner have already been paid. He submitted that after filing of the writ application, the



gratuity amount has already been paid and the petitioner has been sanctioned and paid 90% of the pension because he is facing a criminal prosecution, vide Vigilance P.S. Case No. 48 of 2014 for embezzlement of government fund.

Considering the submission made by the learned counsel for the State and after going through the counter affidavit filed on behalf of respondent no.5, learned counsel for the petitioner submitted that as a criminal case is pending against the petitioner, he is not pressing the present writ application for payment of 10% of the pension, which has been withheld by the State.

Accordingly, the writ application is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.04.2017
Transmission Date	NA

