

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14069 of 2015

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Gridhari Prasad Yadav, S/o Sri Hira Mahto, Residence of village - Kataiya, P.O. Satgama, P.S. Satgama, District – Kodarma.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The District Programme Officer (Establishment), Jamui.
5. The District Education Officer, Jamui.
6. The Headmaster, T.D. Banwasi Bikas + 2 High School Bichkodwa (Chakai), District – Jamui.
7. The Accountant General, Bihar, Birchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.
For the State	:	Mr. Ravi Verma, A.C. to G.P. 4
For the Accountant General	:	Mr. Kumar Priyaranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-05-2017

Nobody appears on behalf of the petitioner. Learned counsel for the State and Accountant General are present.

2. The matter has been listed giving option to the parties to file slip for not listing the matter during the vacation. No such slip is on record in the present case.

2. Counter affidavits have been filed on behalf of respondents no. 4, 3 and as well as 7. Today supplementary counter affidavit has also been filed on behalf of respondent no. 7.

3. The petitioner had moved the Court seeking payment of his post retiral dues.



4. Learned counsel for the respondents, from the statement made in the counter affidavits submitted that against the petitioner, there was a departmental proceeding and after following the due procedure of law, he was dismissed. It was submitted that the certificate of the petitioner has been found to be forged and fabricated and by the final order, by way of punishment, his entire pension has been forfeited.

5. In view of the fact that the present writ application has been restricted to post retiral dues and in the circumstances mentioned above, there is substantive order for forfeiture of entire pension, no relief can be granted to the petitioner for the present and for all practical purposes, the writ petition having become infructuous stands disposed off.

6. However, the same shall not preclude the petitioner from challenging the order passed against him in the departmental proceeding forfeiting the entire pension, in accordance with law, before the appropriate forum/authority.

(Ahsanuddin Amanullah, J.)

P. Kumar

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