

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15317 of 2014

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1. Anup Kumar Mishra
 2. Ajit Kumar Mishra
 3. Arvind Kumar Mishra All S/o late Trilokinath Mishra R/o Vill Lachhnauta, P.S. Sathi, District- West Champaran at Betia, at Present R/o Block Road chanpattiya, P.S. Chanpattiya, District- West Champaran at Batia.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department, Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Human Recources Development Department, Government of Bihar, Patna.
4. The Deputy Director, Secondary Education, Human Recources Development Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education Tirhut Division, Muzaffarpur.
6. The District Education Officer, West Champaran at Bettiah.
7. The Head Master, Government High School, Chanpatia West Champaran at Bettiah.
8. The Accountant General (A & E) Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Respondent/s : Mr. GP-27 PURNENDU SINGH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

10 19-09-2017 The original petitioner is dead. Legal heirs have been substituted. The only reason why 10 per cent pension as well as gratuity was withheld, was pendency of departmental proceeding, which never concluded during the life-time of the employee.

Even the wife is dead. Three legal heirs have already been brought on record.

In view of the said development, the writ application



stands allowed.

A direction is issued upon the respondent-State authorities that the withheld 10 per cent pension and gratuity should now be released in favour of the legal heirs, preferably within a period of three months from the date of communication / production of a copy of this order.

Writ Application stands allowed in terms of the above.

(Ajay Kumar Tripathi, J)

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