

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.349 of 2014

In

Civil Writ Jurisdiction Case No. 2709 of 2006

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Durga Dutt Mishra, S/O Late Gangeshwar Mishra, Resident of Village
Riyasat Powai, P.S.- Powai, District -Aurangabad (Bihar).

.... Petitioner

Versus

1. The State of Bihar through Sri Ashok Kumar Sinha, Chief Secretary,
New Secretariat, Patna.
2. Sri Abhay Kumar Singh, the District Magistrate, Aurangabad.
3. Sri Mukhdeo Singh, the Director Primary Education, New Secretariat,
Patna.
4. Sri Chandrashekhar Kumar, the District Programme Officer,
Aurangabad.
5. Sri Sheo Charan Ram, the Treasury Officer, Aurangabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate
For the State : Mr. S.D. Yadav, AAG-9
Mr. Binod Kumar Yadav, S.C.-18

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 25-04-2017 Heard learned counsel for the petitioner and the

learned counsel appearing for the opposite parties-State.

In pursuance of the earlier direction issued by this
Court on 13.04.2017, the District Magistrate, Aurangabad is
personally present in Court today.

A supplementary show cause has been filed on behalf
of Opposite Party Nos.2 and 4 today and certain drafts have
also been produced, indicating payments to the petitioner. A
Banker's cheque, bearing No.695194 dated 20.04.2017 for an



amount of Rs.1374/- has been produced towards payment of group insurance. Another Banker's Cheque No.695200 dated 24.04.2017 for an amount of Rs.12,439/- has also been produced towards payment of G.P.F. The said two Banker's cheques are being handed over to the learned counsel for the petitioner.

Learned counsel for the State submits that the leave of the late father of the petitioner for the period 01.05.1984 to 30.06.1993 has been sanctioned and treated as leave without pay.

So far as the family pension is concerned, instructions have been forwarded to the Accountant General, Bihar for issuance of the Pension Payment Order (PPO). Similar instruction has also been issued for payment of death-cum-retirement gratuity.

In view of the submissions made in the supplementary show cause, this Court does not intend to proceed further in the contempt matter.

The Rule issued earlier is now discharged.

Liberty is, however, given to the petitioner to raise any grievance as and when it surfaces that any amount remains unpaid.



The personal appearance of the District Magistrate,
Aurangabad is dispensed with.

The M.J.C. application stands disposed of.

(Anjana Mishra, J)

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