

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18445 of 2014

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Md. Ghufran Ahmad S/o Late Md. Yousuf Resident of Village - Sabeya, P.S. -
Ramnagar, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Rural Works Department, Government of Bihar,
Vishweshwaraiya Bhawan, Patna.
3. The Special Secretary, Rural Works Department, Government of Bihar,
Vishweshwaraiya Bhawan, Patna.
4. The Joint Secretary, Rural Works Department, Government of Bihar,
Vishweshwaraiya Bhawan, Patna.
5. The Deputy Secretary Establishment, Rural Works Department, Government of
Bihar, Vishweshwaraiya Bhawan, Patna.
6. The Engineer in Chief - cum - Additional Commissioner-cum-Special
Secretary, Rural Works Department, Government of Bihar, Vishweshwaraiya
Bhawan, Patna.
7. The A.G., Bihar A.G. Office, Veerchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate
For the State	:	Mr. Lalit Kishore, A.G. with Ms. Alka Verma, AC to S.C. 17
For the A.G. (A&E)	:	Mr. Satyendra Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 13-07-2018

Heard Mr. Surendra Kumar Singh, learned counsel for
the petitioner; Mr. Lalit Kishore, learned Advocate General along



with Ms. Alka Verma, learned A.C. to S.C. 17 for the State and Mr. Satyednra Kumar Jha, learned counsel for the Accountant General, Bihar.

2. In terms of yesterday's order, the Chief Secretary and the Director General of Police, Bihar are present in Court. The respondent no. 2 and the concerned Under Secretary, who had written the letter in question are also present. Incidentally, the Superintendent of Police, Traffic, Patna is also in Court. The Court has had the opportunity of hearing at length the learned Advocate General, the Chief Secretary and the Director General of Police.

3. At the very outset, it was accepted that there was some confusion yesterday with regard to movement of persons and vehicles, but a categorical stand has been taken that at the level of the Government, there was no such direction for completely blocking the areas where there was V.I.P. movement. The Director General of Police has also taken a categorical stand that if the people at the ground level are not implementing such directions, they shall be sensitized and matters clarified so that in future the public at large are not adversely affected by such V.I.P. movement/programmes in the State, including in the city of Patna. The Superintendent of Police, Traffic, Patna has also assured the Court that he would ensure that such complete and blanket cordoning of entire areas would not be



done and accordingly he would also be instructing his men in the matter. The Chief Secretary has also assured the Court that at the highest level he will review the issue and the State machinery shall ensure that no inconvenience is caused to the public at large.

4. Such stand coming directly from the officers in presence of the learned Advocate General, the Court has no reason for having any misgivings in its mind and trusting the stand taken by the officers before the Court as recorded hereinabove, the Court would only indicate that good intentions should not remain in the heart and the files, and are required to be shown in action at the ground level. All good intentions become meaningless, if the ultimate result does not reflect the motive of the highest authorities on the administrative side, for ultimately it is what shows which really matters.

5. Coming to the merits of the matter, the respondent no. 2, submitted that against the signatory of the letter in which it has been indicated that a departmental proceeding is pending against the petitioner whereas the High Court on the judicial side had quashed the same much prior to the issuance of the letter, recommendation has been made to the Competent Authority for appropriate action. On the merits of the present case, he submitted that after reviewing the matter, he has sanctioned 100% payment of all retiral dues and has further assured that the same shall be credited into the account of the



petitioner within two weeks from today.

6. At this juncture, the Court would indicate that it would be well within the right of the authorities to make such payment, subject to the result of the Letters Patent Appeal which the State has preferred in the matter.

7. Learned counsel for the Accountant General submitted that they have already issued the authority for payment of Earned Leave and the same has also been sent to the concerned Treasury.

8. Having regard to the aforesaid, the writ petition stands disposed off in the aforementioned terms on the basis of the stand taken by the Chief Secretary and Director General of Police, Bihar on the larger issue and the respondent no. 2, with regard to payments being credited into the account of the petitioner within two weeks from today.

9. Personal appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J)

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