

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.490 of 2015

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Mahtab Alam Son of Late Md. Hasanjan Resident of Village-Baswaria, P.O.-
Musharwa, P.S.-Sathi, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar New Secretariat, Patna.
2. The Principal Secretary, Department of Human Resources Government of Bihar, Patna.
3. The Director, Department of Secondary Education, Government of Bihar, Patna.
4. The Regional Deputy Director Education (RDDE), Tirhut Division, Muzaffarpur.
5. The District Education Officer Bettiah, District-West Champaran.
6. The District Treasury Officer, Bettiah, District-West Champaran.
7. The Accountant General (A & E) Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 27-02-2018

Heard learned counsel for the petitioner; learned A.A.G.-6
for the State and the Accountant General.

2. As prayed for, learned counsel for the State
is permitted to delete paragraph no. 2 of the show cause of behalf of
respondent no. 5.

3. Pursuant to order dated 12.02.2018, the respondent no. 5
is present and has filed his show cause. Supplementary counter



affidavit has been filed on behalf of the respondent no. 7 and further, second supplementary counter affidavit has also been filed on behalf of respondent no. 5.

4. The reason why the respondent no. 5 was directed to appear was that despite request from learned State Counsel seeking instructions in terms of the directions of the Court, there was no response on his part. Today, he has sought unconditional and unqualified apology for such conduct.

5. In view thereof, the Court is inclined to accept such apology and the said issue stands consigned.

6. From the materials on record, it appears that necessary sanction/authority for payment of dues of the petitioner, as raised in the writ petition, has already been issued. However, as the authority issued by the Accountant General is dated 21.02.2018, i.e., a few days back, it may not yet have resulted in actual payment.

7. Be that as it may, once the legal formalities relating to payment have already been completed, the Court does not feel any necessity to keep the writ petition pending. Accordingly, the writ petition stands disposed off with a direction to the respondent no. 6 to ensure that the actual payment in favour of the petitioner is credited into his account in terms of the authorization dated 21.02.2018, copy of which has been brought on record in the supplementary counter



affidavit filed on behalf of the Accountant General, latest within two weeks from the date of production of a copy of this order before him.

8. At this stage, learned counsel for the petitioner submitted that he is totally in the dark with regard to whether payments have been made correctly in terms of his entitlement, for the reason, that no calculation chart has been served on him.

9. Learned counsel for the State fairly submitted that detailed calculation chart under each head for which payment has been sanctioned/made to the petitioner shall be provided to him within two weeks upon the petitioner appearing before the respondent no. 5.

(Ahsanuddin Amanullah, J)

Anjani/-

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