

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3374 of 2017

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Jitendra Mohan Kanth, Son of Late Ugra Mohan Kanth, Resident of Village
Kamalpur, P.S.- Pandaul, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner, General
Administration Department, Government of Bihar, Patna.
2. The District Magistrate- cum-Collector, Madhubani.
3. The District Account Officer, Madhubani.
4. The District Provident Fund Officer, Madhubani.
5. The Sub-Divisional Officer, Phulparas, District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-04-2018

Heard learned counsel for the petitioner and the State.

2. In terms of the order dated 21.03.2018, respondent no.
5 is present. He has also filed show cause. Counter affidavit has also
been filed on behalf of respondents no. 2 and 5.

3. In the show cause, respondent no. 5 has tendered
unconditional and unqualified apology for his conduct with the
assurance that he would not repeat the mistake in future.



4. In view thereof, accepting the apology tendered, the Court does not propose to proceed on the issue and accordingly, the same stands consigned.

5. The stand taken by the respondents is that G.P.F. amount of Rs. 5,56,667/- has already been made to the petitioner on 07.04.2018 and with regard to the other retiral benefits, since the departmental proceeding is pending, final payment has not been made. It has further been stated that the petitioner is not cooperating in the departmental proceeding and upon him cooperating, the same shall be taken to its logical conclusion within three months. It has also been assured that if whatever payment is required to be made, in terms of the order passed in the departmental proceeding, the same shall also be paid to him within the next two months.

6. Learned counsel for the petitioner assures that he shall cooperate in the departmental proceeding by appearing before the respondent no. 5 within two weeks from today.

7. In view thereof, the writ petition stands disposed off.

8. The respondents no. 2 and 5 are directed to ensure that the departmental proceeding against the petitioner is taken to its logical conclusion within three months from the day the petitioner appears before the Conducting Officer i.e., the Additional Collector, Madhubani and upon final order being passed, whatever is required to



be paid to him be paid within the next two months.

9. Personal appearance of the officer stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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