

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14934 of 2015

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Dinesh Prasad Sah Son of Late Tilak Sah Resident of Village - Baghra, Via -
Shahpur Patory, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Superintendent of Education, Samastipur.
5. The District Education Officer, Samastipur.
6. The Regional Deputy Director of Education, Darbhanga.
7. The District Programme Officer, Samastipur.
8. The Head Master Primary School, Mogalchak, Mohadi Nagar, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Jaiswal, Advocate
For the Respondent/s : Mr. Sc26- Amar Nath Deo

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-11-2018 Heard learned counsel for the parties.

Considering the stand taken by the respondent in the counter affidavit that petitioner was entitled to Family Planning Allowance and not addition of the same in basic salary and due to mistake instead of adding allowance in the gross salary Rs.150 was added in the basic salary which resulted in excess payment to the petitioner. On detection of aforesaid mistake was rectified and corrective measure was adopted by the respondent by deducting the excess amount. Petitioner superannuated in the year 2014 and after superannuation he has raised the issue of deduction of amount from his salary.



In the totality of the facts situation the Court does not find any infirmity in the action of the respondent.

The writ petition stands dismissed as excess amount was paid out of the State exchequer and the same was recovered during the service of the petitioner.

(Anil Kumar Upadhyay, J)

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