

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23891 of 2013

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Ramakant Prasad, Son of Late Mahabir Prasad, Resident of Patel Nagar, Hilsa, P.S.
Hilsa, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
3. The Director Secondary Education, Human Resources Development Department, Govt. Of Bihar, Patna
4. The Regional Deputy Director of Education, Patna Division, Patna
5. The District Magistrate, Nalanda
6. The District Education Officer, Nalanda
7. The District Programme Officer Establishment, Nalanda
8. The Headmaster, High School Karai Parsrai, District Nalanda

.... 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: 18-09-2018

Nobody appears on behalf of the petitioner.

2. The petitioner has moved the Court for the following reliefs :-

“ (i) For issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent authority to fix the final pension of the petitioner and also to pay the,

A) The amount of Gratuity with statutory interest is payable by H.M. concerned itself

B) The amount of Earn Leave

C) The amount of Group Insurance



D) The amount of arrears of salary payable to the petitioner for the period of suspension when petitioner was paid only subsistence allowance from (14.03.2009 to 15.06.2009)

E) Due salary from 16.06.2009 to 27.04.2010 when petitioner was on duty at D.E.O. Office, Nalanda with interest at the rate of 18% for delayed payment and fixation.”

3. On 24.09.2014, the Court had recorded the following order :-

“ List this writ application after disposal of CWJC No. 14853 of 2014.

The District Programme Officer (Establishment), Nalanda has appeared in person. The direction for payment of cost has been carried out and proof thereof has been tendered. A counter affidavit has also been filed which has significance with regard to adjudication and demand of the petitioner for settlement of his post retiral dues. Petitioner has already been visited with punishment of withholding of 100% pension and gratuity in a proceeding under Section 43(b) of the Bihar Pension Rules. The personal appearance of the District Programme Officer stands dispensed with now.

Parties are free to make a mention after disposal of the writ application mentioned above.”



4. Subsequently, C.W.J.C. No.14853 of 2014 which had been filed by the petitioner challenging the forfeiture of full pension and gratuity has been allowed by order dated 24.07.2018.

5. In the same, there was also a direction to release the pensionary benefits of the petitioner at the earliest and preferably within a period of four months.

6. Having regard to the aforesaid, nothing further remains in the present writ application. Accordingly, the same stands disposed off.

(Ahsanuddin Amanullah, J)

N.H./- Ranjeet/-

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