

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3160 of 2018

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Bharti Saha, W/o Ranjit Kumar Ghosh, Resident of Mohalla- Bhikhna
Pahari, Rai Hassanpur, Chain Tola, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare
Department, Bihar, Patna.
2. The Director ICDS Directorate, Bihar, Patna.
3. Deputy Secretary Social Welfare Department, Bihar, Patna.
4. The Commissioner, Patna Division, Patna.
5. Deputy Director (Welfare), Patna Division, Patna.
6. The District Magistrate, Patna.
7. District Programme Officer, Patna.
8. Sub-Divisional Officer, Barh, Patna.
9. Block Development Officer, Bihata, Patna.
10. Child Development Project Officer, Bihta, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Respondent/s : Mr. Gyan Prakash Ojha-Ga7

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

4 10-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner who retired from the post of Lady
Supervisor w.e.f. 31.05.2015 prays for payment of entire post



retiral benefits.

A counter affidavit has been filed on behalf of the respondent-State stating therein that G.P.F. amount of Rs. 5,81,560/- have already been paid to the petitioner on 18.07.2018 and group insurance has also been sent to the treasury for making payment which is evident from para-14 and 15 of the counter affidavit. With regard to pension, it has been submitted and brought on record by the petitioner by way of interlocutory application being I.A. No. 9123 of 2018 that in pursuance to the departmental proceeding, 100% of pension has been forfeited under Rule 43B of the Bihar Pension Rules.

Considering the nature of prayer made in the Interlocutory Application, the petitioner is at liberty to challenge the order of punishment passed in the departmental proceeding dated 14.09.2018 as contained in Annexure-11.

So far as the Earned Leave and Gratuity of the petitioner as prayed for, the petitioner will approach the respondent no. 2, the Director, ICDS Directorate, Bihar, Patna by filing a representation which will be disposed of by the respondent no. 2 within a period of three months. The dues if admissible would be paid within one month thereafter. If the respondent no. 2 finds that dues are not admissible, the same



would be communicated by speaking order to the petitioner by
registered post.

(Nilu Agrawal, J)

devendra/-

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