

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1990 of 2019

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Shashi Bala Nath Wife of Sri Bipin Kumar Sinha resident of Behind Madhav
Sadan, R.B.S.S. Road, Bhagalpur, P.S. Kotwali, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. Special Secretary, Land Reforms Department, Government of Bihar, Patna.
5. Commissioner, Purnea Division, Purnea.
6. Collector cum District Magistrate, Purnea.
7. District Land Acquisition Officer, Purnea.
8. Commissioner, Bhagalpur Division, Bhagalpur.
9. Collector cum District Magistrate, Bhagalpur.
10. Accountant General, Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajiv Kumar Singh, Adv.
For the State	:	Mr. Abhay Kumar Sashyap, A.C. to G.P.-18
for the A.G.	:	Mr. Nivedita Nirvikar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-05-2019 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel appearing on behalf of

the Accountant General, Bihar, Patna.

Petitioner retired from the post of Circle Inspector-
cum-Kanoongo from Bhagalpur Revenue Section w.e.f.
31.12.2017. In the present writ application, the petitioner prays
for her post retiral benefits such as gratuity, G.P.F., Group
Insurance, leave encashment and final pension to the petitioner.



A counter affidavit has been filed on behalf of the State stating therein at para-6 that sum of Rs. 8,77,800/- has been paid towards earned leave, Rs. 13,06,222/- towards provident fund and Rs. 2,24,137/- towards group insurance. Besides the above 90% pension is being paid to the petitioner as a departmental proceeding is pending against her.

Learned counsel for the State, however, submits that against the charges, a departmental proceeding has been initiated in the year 2010.

Learned counsel for the petitioner submits that in the said departmental proceeding, a report has been submitted by the Presenting Officer before the Conducting Officer on 24.05.2017 and the Additional Collector, Bhagalpur has sent the report of the departmental proceeding to the Special Secretary Revenue and Land Reforms Department, Government of Bihar by Letter No. 2973/Ra Bhagalpur dated 03.11.2017 stating therein that charges against the petitioner has not been proved. Thereafter no further information has been received and the respondent authorities are sitting tight over the matter.

Considering the same, the respondent no. 4, Special Secretary, Land Reforms Department, Government of Bihar, Patna is directed to take a decision on the report of the



Conducting Officer sent to ex-office vide letter no. 2973/Ra dated 03.11.2017 and if the petitioner is exonerated of the charges to pay the balance pension as well as the claim of commutation of pension within a period of three months from the date of receipt/production of the copy of this order.

Writ application stands disposed of accordingly.

(Nilu Agrawal, J)

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