

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3075 of 2016

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Geeta Kumari W/o Sri Satrugan Mehta Resident of Flat No. 301, Rajnath Singh Enclave, Rukunpura, Bailey Road, P.S.- Rupaspura, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Social Welfare, Government of Bihar, Patna.
3. The Director, Integrated Child Development Scheme, Indira Bhawan, West Boring Canal Road, Patna.
4. The Special Secretary to the Government, Department of Social Welfare, Government of Bihar, Patna.
5. The Principal Secretary Finance, Government of Bihar, Patna
6. The In charge Officer, Finance Personal Claim Fixation Cell, Department of Finance, Government of Bihar Patna
7. The Director Social Welfare, Govt of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Singh, Advocate Mr. Prabhat Kumar Singh, Advocate
For the Respondent/s	:	Mr.Rajiv Roy, JC to GP 5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 28-03-2019

Counsel for the petitioner is permitted to implead the Director Social Welfare, Govt. of Bihar as respondent no. 7 in the instant writ petition.

Petitioner's claim in the writ proceedings is for payment of salary for the period between 03.05.2012 to 14.02.2013. He also claims annual increments which became due on 01.07.2012 along with arrears on 01.07.2013.

It is the stand of the State Government that pursuant to the proceedings conducted against the petitioner who was a



child Development Project Officer, punishment of stoppage of one increment with non-cumulative effect was awarded on 04.08.2014. Petitioner however, retired on 03.09.2014. Even before the effect of punishment could be implemented by stopping one increment of the petitioner. In the circumstances the claim of the petitioner has been kept pending and in this regard the In-charge Officer, Finance (Personal claim fixation Cell) Department has sought guidelines from Social Welfare Department under communication dated 25.02.2016 and 06.04.2016 and upon receipt of the guidelines the dues of the petitioner would be worked out. The stand of the respondents was placed on record in April 2016 by way of counter affidavit.

Neither the petitioner nor the respondent is in a position to inform the Court as to what has been outcome of the said correspondence. In the circumstance, no useful purpose would be served by keeping the instant proceedings pending. If the claim of the petitioner has not been finally resolved pursuant to the communication dated 25.02.2016 and 06.04.2016 issued from 'the Cell' then, let newly added respondent no. 7 take a final decision in respect of the claim of the petitioner within a period of two months from the date of receipt/production of a copy of this order. The admissible dues pursuant to the



decision of respondent no. 7 should also be paid within a month thereafter.

Writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

