

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4801 of 2019

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Sukhdeo Rai S/o Late Ram Chandra Rai R/o Shaktinagar, Mitramandal
Colony, P.S. Phulwari Sharif, Distt-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
New Secretariat, Government of Bihar, Patna
2. The Principal Secretary Education Department, New Secretariat,
Government of Bihar, Patna
3. The Director, State council of Educational Research and Training,
Mahendru, Patna
4. The Joint Director (Administration) State council of Educational Research
and Training, Mahendru, Patna
5. The Head of Department cum Library Incharge, State council of Educational
Research and Training, Mahendru, Patna
6. The Treasury Officer, Patna
7. The Accountant General, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 12-03-2019 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 Laboratory
Assistant in the Education Department, State Council of
Educational Research and Training, Mahendru, Patna on
30.06.2009. He submits that in spite of the entire pension and
gratuity having been sanctioned which is Annexure-2 and 3



dated 28.04.2014 the authorities are not issuing No Dues Certificate, hence the pension and gratuity has not yet released in favour of the petitioner. He submits that the petitioner has received letter dated 2nd August 2018 as contained in Annuxure-9 that while posted as Laboratory Assistant he has not yet given the account of ten books which is recoverable from him. Petitioner vide Annexure-13 dated 22.09.2018 has written to the respondent no. 3, the Director, State Council of Educational Research and Training, Mahendru, Patna that those ten books are not available with him but he is ready to pay the cost of those books so that the No Dues Certificate is issued in his favour and the pensionary benefits including gratuity are released in his favour. He submits that in spite of his acceptance of payment of the cost of those ten books no direction has been issued as yet by the authorities concerned.

Considering the nature of claim as made by the petitioner, the respondent no. 3, the Director, State Council of Educational Research and Training, Mahendru, Patna is directed to recover the cost of the books from the petitioner and issue a No Dues Certificate immediately thereafter. The pension and gratuity would be then released in favour of the petitioner, within a period of two months from the date of



receipt/production of the copy of this order.

Writ application is disposed of accordingly.

(Nilu Agrawal, J)

devendra/priyanka

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