

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7912 of 2015

- 1.1. Aliya khatoon Wife of late Immudin Khan Resident of Mohalla- Kamra, Banaras Bank Chowk, P.O. and P.S. Town, District- Muzaffarpur.
- 1.2. Muntazir Imam Son of late Immuddin Khan, Resident of Mohalla- Kamra, Banaras Bank Chowk, P.O. and P.S. Town, District- Muzaffarpur.
- 1.3. Shagufta Perween, D/o of late Immuddin Khan, Resident of Mohalla- Kamra, Banaras Bank Chowk, P.O. and P.S. Town, District- Muzaffarpur.
- 1.4. Manjae Alam Khan, Son of late Immuddin Khan, Resident of Mohalla- Kamra, Banaras Bank Chowk, P.O. and P.S. Town, District- Muzaffarpur.

... .. Petitioners

Versus

1. The State Of Bihar
2. The Home Secretary, Govt. of Bihar, Patna.
3. The Superintendent of Police, Motihari, East Champaran

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Dr. Mahtab Ahmad
For the Respondent/s : Mr. Ashish Kumar Lal, AC to GA 5

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 18-09-2019

It is agreed between the parties that other dues of the petitioner, except salary for the period of suspension between 7.7.2002 to 27.11.2002, has been paid to the petitioner and steps have been taken for payment of Gratuity.

In respect of the said period the Superintendent of Police in the order of punishment (Annexure 8) has directed that the same be treated as half pay leave and adjusted accordingly. The order of the Superintendent of Police, which has been placed on record as abstract of the Service Book under Kishanganj District Force Order No. 227 of 2004 justifies the non grant of salary for the said period.

The petitioner would be at liberty to assail the said order in appropriate proceedings if so advised. It will also be open to the petitioner to approach the authorities in respect of any dues regarding the amount paid or any further claim in respect thereof.

The writ petition in the aforesaid circumstances is



dismissed with liberty to the petitioner as aforesaid.

(Madhuresh Prasad, J)

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