

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8023 of 2019

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Indra Narayan Mishra, S/o late Rama Nand Mishra Vill. and P.O.- Bar Majhiya, P.s.- Kanchanpur, Distt.- Sapatari (Nepal), Retired from the post of Junior Engineer under Irrigation Division, Murliganj, Madhepura, Distt.- Madhepura (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Govt. of Bihar, Patna
2. The Engineer in Chief Water Resources Department, Govt. of Bihar, Patna
3. The Under Secretary (Management) Water Resources Department, Govt. of Bihar, Patna
4. The Chief Engineer Water Resources Department, Saharsa, Distt.- Saharsa
5. The Superintending Engineer Irrigation Circle Purnea, Distt.- Purnea
6. The Executive Engineer Irrigation Division, Murliganj, Distt.- Madhepura
7. The Sub Divisional Officer Irrigation Department Sub Division, Koriya Patti, Distt.- Supaul
8. The District Magistrate cum District Officer Madhepura
9. The District General Provident Fund Officer Madhepura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Respondent/s : Mr. Vikash Kumar (SC 11)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 15-05-2019

Heard the learned counsel for the parties.

2. The petitioner has superannuated from the post of Junior Engineer, Irrigation Division, Murliganj in the District of Madhepura on 31.07.2015. He has approached this Court for a direction to the respondents to pay him an amount of Rs. 4,31,512/- in compliance of the



communication issued by respondent no. 2, along with penal rate of interest as also other dues to which the petitioner is entitled.

3. It is the case of the petitioner that during his service tenure, a departmental proceeding was initiated against him and before the conclusion of such proceedings, an amount of Rs. 4,31,512/- was recovered from him. In the departmental proceeding, the petitioner has been exonerated and a communication has been made by the concerned respondent for returning the aforesaid amount *viz.* Rs. 4,31,512/- to the petitioner. It is the grievance of the petitioner that such amount, despite the order for return, has not been paid to him. The other benefits to which the petitioner is entitled has also been withheld from him without any valid reason.

4. Under the aforesaid circumstances the petitioner is directed to make a detailed representation before the Engineer-in-Chief, Water Resources Department, Government of Bihar, Patna (respondent no.



2) within a period of six weeks from today, who, on receipt of the same, shall, after verifying the facts and affording hearing to the petitioner, pass a reasoned order in accordance with law within a further period of twelve weeks thereafter. In case the claim of the petitioner is found to be tenable, necessary sequel order shall also be passed within the aforesaid period.

5. With the aforesaid direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2019
Transmission Date	

