

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12512 of 2014

=====

Suresh Prasad Singh son of late Chulhai Singh R/o village Rasulpur, P.O. Jaitipur, P.S. Lalganj, District Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Finance Secretary cum Finance Commissioner, Govt. of Bihar, Patna.
3. Director, Provident Fund Directorate, Bihar, Patna.
4. Assistant Commissioner, Provident Fund Directorate Bihar, Patna.
5. District Provident fund Officer, Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Hriday Prasad
For the Respondent/s : Mr.A. Verma,AC to SC 7

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 26-04-2019 In view of efflux of time, parties are in agreement that now final order has to be passed in the pending proceeding against the punishment pursuant to charge memo dated 13.01.2014.

Petitioner has already participated in the proceeding and, therefore, prayer made in the instant writ proceeding to keep departmental proceeding in abeyance till disposal of the criminal case does not exist any more, since only final order has to be passed. One fact has been brought to the notice of this court that in the meantime, on 31.10.2018 petitioner has attained age of superannuation.

In view of the said development during the pendency



of the instant proceeding, this court would only observe that any final order now can only be passed in accordance with relevant provisions contained in Bihar Service Code, CCA Rule, 2005 as well as Pension Rules. Matter is left open to be agitated by the petitioner in case there is any failure in observing these procedures while passing final order.

Counsel for the respondents submits that final order would be passed within eight weeks.

Accordingly, with the aforesaid observations writ petition is dismissed being infructuous.

(Madhuresh Prasad, J)

s.hassan/-

U			
---	--	--	--

