

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5887 of 2018

=====

Ramashish Mishra Son of Late Ram Bihari Mishra, Resident of Barkha Goan,
P.S. Simiri, District-Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Home,
Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Zone, Patna.
4. The Deputy Inspector General of Police, Shahabad Zone, Dihari-on-Son
5. The Superintendent of Police, Buxar, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Narayan Brahmachari
For the Respondent/s : Mr.Md.Nadeem Seraj -Gp5

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-11-2019 The learned counsel for the petitioner submits that the

petitioner has not been paid 10% amount of pension, 10%

gratuity amount and the amount of leave encashment.

Per contra, the learned counsel appearing for the
respondents submits that since a departmental proceeding is
pending against the petitioner herein, the petitioner is not
entitled to the aforesaid amounts at the moment, in view of the
judgment of the learned Full Bench, reported in 2018(2) PLJR
933 (**Arbind Kumar Singh Vs. The State of Bihar & Ors.**).

Though, the learned counsel for the petitioner does
not dispute the position as existing in law, however, he submits



that the petitioner be granted liberty to take recourse to appropriate remedies available under the law, after conclusion of the departmental proceeding.

In view of the aforesaid, the present writ petition stands disposed of with liberty to the petitioner to agitate his subsisting grievance immediately upon completion of the departmental proceedings.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

