

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.670 of 2018

Arising out of

Civil Writ Jurisdiction Case No.10764 of 2013

Hoshila Prasad Tiwari, son of late Bindeshwari Tiwari, R/O Village -
Gagalawa, P.S. - Bishunpura, District - Kushi Nagar U.P. at present posted as
Block Agriculture Officer, Kuchainkoat District - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Agriculture Department, Government of Bihar, Patna, namely, Shri Sudhir Kumar.
2. The Director, Agriculture Department, Government of Bihar, Patna, namely, Shri Himanshu Kumar Rai.
3. The Joint Director, Agriculture Department, Government of Bihar, Patna namely Shri Bijendra Choudhary.
4. The District Magistrate, Gopalganj, namely Shri Rahul Kumar.
5. The Deputy Development Commissioner, Gopalganj, namely, Shri Dayanand Mishra.
6. The District Agriculture Officer, Gopalganj, namely, Shri Suresh Prasad.
7. The Block Development Officer, Thawe, District - Gopalganj namely Miss, Minu Kumari.
8. The Block Development Officer, Kuchaikote, District - Gopalganj, namely Shri Deepchand Joshi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sarvesh Kumar Singh, AAG-13
Mr. Shakib Ayaz, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 22-10-2019

Heard learned counsel for the petitioner and learned AC to
AAG-13 for the State.

2. In terms of order dated 25.09.2019, the Deputy
Development Commissioner, Gopalganj; the Block Development



Officer, Kuchaikote and the Block Development Officer, Thawe, are present and have filed their show cause.

3. The stand taken in the same is that the order dated 16.05.2014 passed in CWJC No.10764 of 2013 has been complied with.

4. Learned counsel for the petitioner submitted that statement has been made with regard to sanction and payment, but actual payment has not yet been credited into account of the petitioner with regard to all the dues.

5. Learned counsel for the State as well as the Deputy Development Commissioner, Gopalganj, submitted that if any amount is found due, the same shall be credited into account of the petitioner latest by 26th October, 2019.

6. Learned counsel for the petitioner submitted that the Court may indicate the amount in terms of the affidavit filed by the Deputy Development Commissioner, Gopalganj, today.

7. Having regard to the aforesaid, the Court deems it appropriate to reproduce the stand taken in paragraph no. 8 of the show cause filed today by the Deputy Development Commissioner, Gopalganj, which reads as under:

“8. That it is humbly submitted that in compliance of the order/ direction of the answering opposite party, the B.D.O., Kuchaikote has complied the order of this



Hon'ble Court. The salary of the petitioner after 30.08.2012 had calculated to the tune of Rs.2,18,085/- and paid the same in the account of the petitioner vide bill no.514 / 19-20 and also calculated the salary of the absent period as per the order of DDC, Gopgalganj, Memo no.259/ dev. dt. 21.10.2019 on same day to the tune of Rs.2,33,682/- and bill was presented before treasury vide vill ref. no.20191021059850 dt. 21.05.2019 itself to transfer this amount in the account of the petitioner which has been paid to the petitioner today i.e. on 22.10.2019".

8. Accordingly, the application stands disposed off directing for actual payment of the amounts, as noted above, into account of the petitioner, if not already done, latest by 26th October, 2019.

9. Personal appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J)

J. Alam/-

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