

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2403 of 2018

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Saroj Prasad Singh, S/o Late Deonandan Singh, resident of village - Basuhar,
P.O. - Basuhar P.S. - Punpun, District - Patna at present residing at H.O. No.
4E/38 Ramkrishna Path, North S.K. Puri, P.S. - Patliputra, Patna - 800013.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. The Joint Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Managing Director, Bihar State Water Board, Patna (Bihar).
4. The Chief Engineer, Bihar State Water Board, Patna (Bihar).
5. The Superintending Engineer, Bihar State Water Board, Patna (Bihar).
6. The Executive Engineer, Ganga Project, Division No. 3, Bihar State Water Board, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5
		Mr. Vishwambhar Prasad, AC to AAG-5
For Respondents 3 to 6	:	Mr. Indrajeet Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

7 14-05-2019 Heard learned counsel for the petitioner learned

counsel for the State and learned counsel appearing on behalf of

the Bihar Urban Infrastructure Development Corporation, which

has been merged in Bihar State Water Board, Patna.

2. Petitioner retired on 31.12.2015 from the post of

Steno-cum-Typist from the office of Respondent No. 6, the

Executive Engineer, Ganga Project, Division No. 3, Bihar State

Water Board, Bhagalpur. A departmental proceeding was

initiated against the petitioner at the fag end of his career, which

has not yet been concluded. In spite of sanction of 90% of



pension and gratuity and BTC Form No.-51 has been prepared, but in the counter affidavit it has been stated that since it did not have the approval of the competent authority, the said bill sent to the treasury has been returned.

3. Counsel for the petitioner submits that 90% of pension and gratuity so sanctioned was approved by the Superintending Engineer but still on one pretext or the other the respondents are shifting the burden.

4. Considering the nature of claim made by the petitioner and the statements made in the counter affidavit, Respondent No. 2, the Joint Secretary, Public Health Engineering Department, Bihar, Patna is directed to look into the matter with regard to sanction made by the Executive Engineer, Bihar State Water Board, Bhagalpur and make necessary corrections if required and also make payment with regard to 90% of pension and gratuity to the petitioner within a period of three months from the date of receipt/production of a copy of this order.

5. Writ application stands disposed of accordingly.

(Nilu Agrawal, J)

Rajesh/-

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