

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23864 of 2018

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Yogendra Mishra, Retired Principal, High School, Deendayalpur, Siwan, S/o
Late Tarkeshwar Mishra, Resident of Sainpura, P.S.- Goreya Kothi, District-
Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, (Higher and Secondary Education), Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer, Establishment (Education), Siwan.
6. The Principal High School, Deendayalpur, Siwan.
7. The Treasury Officer, Siwan.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Respondent/s : Mr.Madanjeet Kumar
Mr. Rajeev Ranjan, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 14-10-2019 The learned counsel for the respondent-State has filed a counter affidavit wherein it has been stated in paragraph no. 8 that the Education Department vide letter dated 18.09.2019 has sanctioned 10 per cent pension and gratuity amount as well as cumulative pension and has sent it to the Accountant General whereafter the Accountant General has issued authority slips on 23.09.2019 and the same has been sent to the Treasury Officer, Siwan for payment. It is further stated that the Treasury Officer, Siwan vide letter dated 26.09.2019 has forwarded the original authority slip to the State Bank of India, Siwan for necessary action and the Chief Manager, State Bank of India, Siwan Branch vide



letter dated 26.09.2019 has forwarded the authority slips/payment order to the Assistant General Manager, State Bank of India, Administrative Office, Patna for necessary action.

The learned counsel for the petitioner submits that he has not been instructed as to whether actual amount has been credited in the account of the petitioner or not.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off in view of the aforesaid statement made in the counter affidavit filed by the respondent-State, however, with a direction to the respondent authorities to immediately credit the actual amount in the account of the petitioner, if not already credited, within a period of four weeks from today, failing which the petitioner would be at liberty to file an appropriate I.A. for revival of the present writ petition and this Court would consider initiating contempt proceedings against the defaulters.

(Mohit Kumar Shah, J)

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