

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 616 of 2019

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Aj Kumar, Son of Late Saryu Singh, Resident of Village-Raghopur, Post Office and Police Station-Bihta, Dist.-Patna Posted as Panchayat Secretary at Masaurhi Block, Dist.-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna
2. The District Magistrate, Patna
3. The Deputy Development Commissioner, Patna
4. The District Panchayat Raj Officer, Patna
5. The Sub-Divisional Officer Patna City, Dist.-Patna
6. The Block Development Officer Khusrupur, Dist.-Patna
7. The Block Development Officer, Paliganj, Distt.-Patna
8. The Block Development Officer, Masaurhi, Distt.-Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : M/s Jitendra Kr Roy, Sunil Kr, Advocates
For the Respondent/s : Mr Karandeep Kumar, AC to GP VI

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 28-05-2019 Matter has been listed today in the Summer Vacations as the learned counsel for the petitioner was desirous for consideration of his case during vacation.

The slip for listing was filed pursuant to notice dated 08th May 2019, published prior to the vacation.

Matter is, accordingly, taken up for consideration as both parties are present and willing to assist the Court for disposal of the matter.

Heard learned counsel for the petitioner and the



respondent-State.

It is submitted by Mr Jitendra Kumar Roy appearing for the petitioner that while the petitioner was posted as Panchayat Secretary at Khusrupur, he had discharged some schemes under the 13 Finance Commission. He submits that due to lack of coordination between the authorities at the Block level as well as the Junior Engineer concerned, the bill, in respect of the said works, could not be finalized. He submits that due to lack of coordination, the Measurement Book could not be completed and, therefore, certain dues of the petitioner have been held up by the authorities at Khusrupur while issuing the Last Pay Certificate upon the petitioner's transfer to Paliganj. In this respect, he has approached the District Magistrate, Patna seeking intervention to ensure that the issue is finalized.

Submission is that the petitioner would be satisfied if the direction is given to respondent No 2 to take appropriate action upon the petitioner's representation dated 18.04.2018 (Annexure 1)

In view of the limited grievance raised in the instant proceedings, and since the issue is to be resolved by the authorities, this Court would observe that keeping the writ petition pending would serve no useful purpose.



The parties are in agreement that the issue has to be examined and dues have to be ascertained by the authorities.

In view of the aforesaid situation, writ petition is disposed of.

District Magistrate, Patna (respondent No 2) should ensure that the issue in respect of the petitioner's claim is finalized and the decision in respect of the dues of the petitioner for the period of posting as Panchayat Secretary, Khusrupur is taken to its logical conclusion by the authorities in the district, within a period of three months from the date of receipt/production of a copy of this order.

It is needless to say that if dues are found admissible, the same should also be paid to the petitioner within a period of one month thereafter.

(Madhuresh Prasad, J)

M.E.H./-

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