

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7326 of 2020

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Dharmendra Kumar aged about 41 years, (M) S/o Nagendra Prasad R/o Village- Ramdhanpur, Narhan Kothi, P.S.-Gaya, District-Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Education, Vikash Bhawan Vikash Bhawan Patna-1.
2. The Director Primary Education Vikash Bhawan Baily Road Patna-1
3. The Dist. Magistrate Gaya.
4. The Dist, Education Officer Gaya.
5. The Dist Program Officer, Sarv Siksha Abhiyan, Gaya.
6. The Block Development Officer, Tekari, Gaya
7. The Block Education Officer Tekari, Gaya.
8. The Headmaster Primary School Mussi SC/ST Tekari Gaya.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Manoj Kumar, Advocate
For the Respondents	:	Ms. Shilpa Singh, GA 12
		Mrs. Binita Singh, AC to AG 12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-09-2020 Heard learned counsel appearing on behalf of the petitioner as well as learned counsel appearing on behalf of the State.

Learned counsel appearing on behalf of the petitioner submits that the allegation against the petitioner is that he has not accounted for the advance of Rs. 10,53,750/- which he has received for construction of the school building. He submits that the petitioner is ready to account for the aforesaid amount.

Without going into the controversy - whether the



petitioner owned the aforesaid amount and whether that amount stands adjusted towards arrears of salary, the writ petition is disposed of with liberty to the petitioner to approach the respondents for adjustment of the advance amount towards his arrears of salary. If due amount payable to the petitioner is found more amount which he has received as advance, the respondent-State and its instrumentality shall issue necessary order for payment after adjusting the advance amount provided the petitioner has worked for the period in question and there is no criminal case or departmental proceeding pending against the petitioner.

(Anil Kumar Upadhyay, J)

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