

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8285 of 2017

=====

Murli Dhar Tiwary Son of Late Surendra Tiwary, Resident of Village-
Ganeshpatti, Police Station-Bheldi, District-Saran Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Engineer in Chief, Minor Irrigation
Department, Govt. of Bihar, Patna.
2. The Executive Engineer, Minor Irrigation Division, Chapra.
3. The Accountant General, Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.Ajit Kumar- Ga9

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 19-05-2020 Heard learned counsel appearing on behalf of the
respondents through Video Conferencing.

Nobody appears on behalf of the petitioner. Even on
08.05.2019 learned counsel for the petitioner sought
adjournment to seek instruction from the petitioner but no
response was made on behalf of the petitioner.

The petitioner in this writ petition sought direction for
payment of pension, gratuity, leave encashment and other retiral
benefits.

Respondent nos.1 and 2 as well as respondent no.3
(Accountant General, Bihar, Patna) filed their counter affidavits.

From perusal of the counter affidavits, it appears that
the authority slips for pension and payments of other retiral



benefits such as G.P.F., Leave Encashment, Gratuity etc. were issued but since some materials which were kept in the custody of the petitioner were found short and the petitioner failed to explain such shortage. The petitioner did not hand over the charge. After evaluation of those materials found short and it was found that the material worth Rs.50,905/- was missing, No Dues Certificate was issued to the Treasury Officer for payment of all retiral dues after recovering of an amount of Rs.50,905/- from the gratuity of the petitioner and, therefore, the entire retiral benefits amount has already been paid to the petitioner.

In this view of the fact, this writ petition has become infructuous. Accordingly, the same is dismissed.

If the petitioner has got any grievance, the petitioner may represent before the Executive Engineer (respondent no.2) within two months from the date of this order and the Executive Engineer, if such representation is filed, shall dispose of the same within three months thereafter. If the petitioner is not satisfied, the petitioner may again move before this Court for redressal of his grievance.

(Prabhat Kumar Jha, J)

Harish/-

U			
---	--	--	--

