

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17431 of 2019

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Md. Tahir Hussain S/O Late Abdul Sakur, R/o- Vill- Taralahi, P.S.-
Bahadurpur Distt- Darbhanga, State- Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines and Geological Department, Govt. of Bihar, New Secretariat, Patna.
2. The Commissioner, Mines and Geological Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Mines and Geological Department, Govt. of Bihar, New Secretariat, Patna.
4. The District Mining officer Munger, Distt. - Munger.
5. The Mines Development officer Munger, Munger.
6. The Accountant General, Govt. of Bihar, Veer chand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha
For the Respondent/s : Mr.Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard Shri Kedar Jha, learned counsel appearing for the petitioner, Shri Naresh Dixit, learned Special P.P. Mines, Shri Gyan Prakash Ojha, G.A.-7 appearing for the State and Dr. Anand Kumar, learned counsel for the Accountant General.

The petitioner has prayed for directing the respondents to make payment of the differential amount of retiral benefits under each and every head pursuant to the salary of the petitioner being revised.

The learned counsel for the respondents have submitted



that the salary of the petitioner has already stood revised and it would be apparent from the counter affidavit filed on behalf of the respondent no. 6 more particularly paragraph no. 6 thereof that authorization of pension/ gratuity has already been issued vide PPO No. 454591P3 in the scale of PB-2, GP-4600 after receiving sanction along with the service book and pension related documents.

At this juncture, the learned counsel for the State Shri Gyan Prakash Ojha submits that by mistake a counter affidavit has been filed by the State containing details of another case, hence he be permitted to withdraw the counter affidavit.

Accordingly, the counter affidavit filed by the State is permitted to be withdrawn.

At this juncture, the learned counsel for the petitioner seeks liberty to agitate his subsisting grievances before the concerned authorities.

Permission so sought is granted.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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