IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8650 of 2017

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Amrendra Shekhar Singh S/o Late Maheshwar Prasad Singh, Resident of Hosue No.34, Road No.4A, Magistrate Colony, Ashiana Nagar, P.S.- Digha, at present retired Principal, Women Industrial Training Institute, Digha Ghat, Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary.
2. The Principal Secretary, Department of Labour Resources, Bihar, Patna.
3. The Director, Employment and Training, Bihar, Patna.
4. The Director, General Provident Fund, Pant Bhawan, Bailey Road, Patna.
5. The Accountant General, Bihar, Patna

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Mishra, Adv.

For the Respondent/s : Smt.Anuradha Singh-Sc21

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 20-05-2020 Heard Mr. Subhash Kumar Mishra, learned counsel appearing on behalf of the petitioner and learned S.C. 21 as well as Mr. Ajit Kumar, learned counsel appearing on behalf of the Accountant General through Video Conferencing.

The petitioner in this writ petition sought relief for a direction to the respondents to pay the entire retiral benefits such as pension, gratuity, G.P.F., leave encashment of the petitioner, who retired from the post of Principal, Women Industrial Training Institute, Digha Ghat, Patna on 28.02.2017.

The State filed counter affidavit stating therein that 10% pension and gratuity of the petitioner were withheld since a departmental proceeding was initiated against the petitioner.

Learned counsel for the petitioner informed the Court that the petitioner has already received a letter. The departmental proceeding has already been concluded. The petitioner was held guilty and 5% pension of the petitioner has been withheld for ten years. The petitioner is entitled to get 95% pension. It is further submitted that the authority slip for payment of gratuity has already been issued by the Department and the Accountant General also issued authority slip but the said payment has not been made.

It appears that the authority slip for payment of gratuity has also been issued, therefore, the concerned authority is directed to pay the gratuity of the petitioner within one month from the date of receipt/production of a copy of this order. Since 5% pension of the petitioner has been withheld in a departmental proceeding, the rest amount of pension of the petitioner be released forthwith and the Accountant General, Bihar, Patna shall issue the authority slip within two months from the date of receipt/production of a copy of this order.

With the aforesaid observations, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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