

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1254 of 2021

Ashok Kumar, aged about 57 years (male), son of Late Tulsi Prasad Thakur
resident of Mohalla - Lodipur Budh Marg, Police Station- Gandhi Maidan,
District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. Under Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
4. The District Magistrate, Sitamarhi.
5. The Additional Collector-cum- Enquiry Officer, Sitamarhi.

... .. Respondents

Appearance :

For the Petitioner : Mr. Jitendra Prasad Singh, Adv.
For the State : Ms. Prakritita Sharma, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 22-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Hard copy of the counter affidavit on behalf of the
respondent Nos. 1 to 3 is being filed which is taken on record.
Copy of the same has already been served on the petitioner's
counsel.

The parties are in agreement that the petitioner is
entitled to the benefits, as a consequence of the resolution dated
29.09.2021, since the punishment whereby, he has been placed
in the minimum of basic grade has lapsed in February, 2020



and, as a result, he is entitled to receive due and admissible benefits as well as subsistence allowance, in terms of the order of punishment, as amended by the Revisional Authority. Since, there is no dispute on the petitioner's entitlement as a consequence of resolution dated 29.09.2021, the writ petition need not be kept pending.

The same is, accordingly, disposed of with a direction to the District Magistrate, Sitamarhi (Respondent No. 4) to ensure that due and admissible benefits, in terms of the resolution dated 29.09.2021, bearing No. 686, issued by the Revenue and Land Reforms Department, Government of Bihar, are paid to the petitioner along with a chart showing details of calculation of the amounts found due and admissible, within a period of three (03) months from the date of receipt/production of a copy of this order.

The writ petition is disposed of.

(Madhuresh Prasad, J)

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