

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17443 of 2017

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Deena Nath Thakur Son of Late Moti Lal Thakur, Resident of Village- Samsth
Ashthan, Police Station- Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Old Secretariat, Patna,
Govt. of Bihar.
3. The Director, Human Resources Department, Govt. of Bihar, Old
Secretariat, Patna.
4. The District Education Officer, Patna Collectariate, Patna.
5. The District Education Programming Officer Establishment Patna
Collectariate, Patna.
6. The District Education Programming Officer Planning and Account.
7. Md. Nasuruddin, Head Master In-charge, High School, Bihari Bigha, Barh,
District- Patna.
8. The Accountant General, Bihar, Virchand Patel Path, Patna.
9. Sanjay Kumar Singh, Son of Not Known, Resident of Village- South of
Kurji Pul, Kottiya, Vikash Nagar, P.O.- Sadakat Ashram, P.S.- Digha,
District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh
For the Respondent/s : Mr. S. C. Mishra, SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 24-02-2023 Heard learned counsel for the parties concerned.

Learned counsel for the petitioner submits that all the
retiral dues have been paid to the petitioner, however, 10%
gratuity has not been paid.

Learned counsel for the State refers to Annexure-F of
the supplementary counter affidavit and submits that 5% of the
gratuity has been paid to the petitioner and remaining 5% has



not been paid because proceeding under Rule 43(b) of the Bihar Pension Rules was initiated against him and punishment order has been passed withholding 5% of gratuity.

Learned counsel for the petitioner seeks permission to withdraw this application with liberty to challenge the order of punishment passed under Rule 43(b) of the Bihar Pension Rules in a separate writ application.

Permission is granted.

This writ application is, accordingly, dismissed as withdrawn.

(Anil Kumar Sinha, J)

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