

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10069 of 2020

=====

Srinivas Chandra Tiwary Son of Late Bharat Prasad Tiwary, Resident of E2/8 of Sadhnapuri, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Bihar, Patna.
3. The Director (Administration)-cum- Additional Secretary Department of Education, Bihar, Patna.
4. The Director Provident Fund Department of Finance, Bihar, Pant Bhawan, Patna.
5. The Principal Accountant General of Bihar Veer Chand Patel Path, Patna.
6. The District Provident Officer, Hazaribagh, Jharkhand.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Prabhu Nath Pathak, Advocate
For the State of Jharkhand:		Mr.Sarvdev Singh, Advocate
For the Respondent/s	:	Mr.Mrigendra Kumar, AC to GP 20

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

9 29-08-2023 Heard Mr. Prabhu Nath Pathak, learned counsel appearing on behalf of the petitioner; Mr. Sarvdev Singh, learned counsel for the Jharkhand and Mr. Mrigendra Kumar, learned counsel for the State.

2. Learned counsel appearing on behalf of the State files supplementary counter affidavit on behalf of respondent no.2 in the Court today itself. Let it be kept on record.

3. Learned counsel appearing on behalf of the petitioner submits that the substantial amount of pension of the petitioner has been paid during the pendency of the present writ



petition, however, he has been denied full amount of gratuity and leave encashment.

4. Learned counsel appearing on behalf of the petitioner further submits that the entitlement of the petitioner to receive the entire amount of gratuity and the leave encashment has been rejected by the Additional Chief Secretary, Department of Education, Bihar by passing order dated 17.08.2023 bearing memo no.918, contained as Annexure 'A' to the supplementary counter affidavit. The petitioner seeks to challenge the said order (dated 17.08.2023) of the Additional Chief Secretary, Department of Education before the appropriate forum.

5. Considering the specific submissions made on behalf of the petitioner, petitioner, if so advised, may challenge the order of the Additional Chief Secretary, Department of Education, Bihar as contained in memo no.918 dated 17.08.2023 in accordance with law before the appropriate forum.

6. With the above observation/direction, the present writ petition is disposed of.

(Purnendu Singh, J)

chn/-

U			
---	--	--	--

