

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7585 of 2023

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Daya Shankar Prasad S/o Late Radha Krishna Lal, Resident of Village- Waini
@ Chakla Waini, Post- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate/Collector, Samastipur, District-Samastipur, Bihar.
3. The Additional Collector, Samastipur, Samastipur Collectariate, District-Samastipur.
4. The Establishment Deputy Collector, Samastipur, Samastipur Collectariate, District-Samastipur.
5. The Circle Officer, Block-Moraba, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 25-09-2023

Heard Mr. Sanjiv Sharan, learned counsel appearing
on behalf of the petitioner and Mr. Md. Khurshid Alam, learned
AAG 12 for the State.

2. Learned counsel appearing on behalf of the
petitioner informs this Court that in view of the departmental
proceeding pending against the petitioner, petitioner has been
denied pension, group insurance, earned leave and difference of
salary during his suspension period. Learned counsel further
submits that earned leave is also the part of the salary and the
same has been denied by the authorities concerned in illegal
manner. Petitioner submits that he is entitled for all the retiral



dues, as claimed for in the present writ petition, and the same may be paid to him in accordance with law. Learned counsel further submits that the petitioner has given instruction that he will file a detailed representation before the District Magistrate-cum-Collector, Samastipur for redressal of his grievance, as claimed for in the present writ petition.

3. Considering the aforesaid specific submission made on behalf of petitioner, the District Magistrate-cum-Collector, Samastipur is directed to dispose of the representation of the petitioner in accordance with law as well as he must take necessary action to make payment in accordance with the provision of Rule 40(c) of Bihar Pension Rules, 1959 within a period of six weeks from the date of communication of the order and make payment of the admissible dues in accordance with law within the aforesaid period.

4. The writ petition is disposed of.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.09.2023
Transmission Date	NA

