

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7923 of 2020

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Ram Prawesh Prasad S/o Murat Prasad, R/o- 303 Gayatri Complex, Friends Colony Road No. 6, Ashiana Nagar, P.O. and P.S. - Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department, Government of Bihar, Bihar at Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Bihar at Patna.
3. The Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
4. The Deputy Secretary, Panchayati Raj Department, Government of Bihar, Bihar at Patna.
5. The Director, Panchayati Raj Department, Govt. of Bihar, Patna.
6. The Divisional Deputy Director, Panchayati Raj Department, Saran Division, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sourav Suman, Advocate
For the Respondent/s : Mr. Krishna Chandra, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 24-08-2023

Heard Mr. Sourav Suman, learned counsel

appearing on behalf of the petitioner and Mr. Krishna Chandra,

learned AC to GA-5 for the State.

2. Learned counsel appearing on behalf of the State

seeks to file second supplementary counter affidavit. The same

is accepted and directed to be kept on record.

3. Learned counsel for the State submitted that all

the retiral dues admissible to the petitioner has already been

paid and a statement to that effect has been made in paragraphs



no. 3, 4 and 5. He further submitted that specific statement has been made in paragraph no. 6 of the supplementary counter affidavit that the petitioner is not entitled for pension, which has been confiscated after providing him due opportunity of hearing in a disciplinary proceeding initiated against him in accordance with Rule 43 (a) and 43 (b) of the Bihar Pension Rules, 1950.

4. Considering the aforesaid fact, the petitioner, if so advised, may challenge the legality and propriety of the order passed by the disciplinary authority before appropriate forum.

5. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/Nilmani

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	24.08.2023
Transmission Date	N/A

