

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2026 of 2018

Meena Sinha, W/o Lala Ajay Kumar Sinha, Accountant in C.I.D. Patna resident of Village- Jaipur Dhanki, Behind Appolo Burn Hospital, Near Panchsheel Vidyapur, P.O. Pahari, P.S. Agam Kuan, District- Patna 7.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Superintendent of Police C Crime Investigation Department having his office Old Secretariat, P.
3. The Superintendent of Police D having his office Old Secretariat, P.S. Sachivalaya, District Patna
4. The Deputy Superintendent of Police Account having his office Old Secretariat, P.S. Sachivalaya, D
5. The Accountant General, Bihar, Patna having his office at Birchand Patel Marg, P.S. Kotwali, Distri

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vikas Mohan, Advocate
For the State	:	Mr. Mankeshwar Tiwari, AC to AAG-3
For the A.G.	:	Mr. Dr. Anand Kumar, Advocate
		Mr. Ramesh Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 18-12-2023 Heard learned counsel for the petitioner, learned counsel for the State, and learned counsel for the Accountant General.

2. The present application has been filed for quashing of the memo of charge issued vide Memo No. 528 dated 23.08.2006 along with the entire departmental proceeding and a direction to release the arrears of pension, Gratuity and leave encashment of the late husband of the petitioner including the



salary which had been withheld without holding him guilty in the departmental proceeding.

3. Learned counsel for the petitioner submits that in the light of the order dated 30.10.2023, the State and the Accountant General both have filed their respective counter affidavit and in the counter affidavit of the State, calculation chart of all the amount of pension has been annexed. He further submits that there are different heads in which payments have neither been calculated nor been made.

4. Learned counsel for the State submits that if the petitioner has any grievance with respect to payment of retiral benefits and other dues of her late husband, she may be given an opportunity to raise the said grievances before the authority concerned by way of filing representation which shall be considered and decided within a reasonable period, in accordance with law.

5. In the light of the submissions made by the parties, the writ petition is disposed of granting liberty to the petitioner to raise all the grievances with respect to the rest amount of the retiral benefits of her late husband including the subsistence allowance and the statutory interest applicable on GPF or other amount, if any, by way of filing representation before the



authority concerned within two months from today along with a copy of this order, whereupon, the authority concerned is directed to consider and dispose of the representation of the petitioner by a reasoned and speaking order within sixty days thereafter. If the petitioner is found entitled to any payment, the same may be paid to her within sixty days thereafter.

6. With the aforesaid observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

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