IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9954 of 2023

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1. Ram Naresh Mishra Son of Late Prameshwar Mishra, Resident of Ward No. 09m Village- Marai, P.S.- Jandaha, District- Vaishali.
2. Rambha Kumari Wife of Satyendra Prasad Pandey, Ward No. 16, Dharampur Bande, P.S.- Patori, District- Samastipur.
3. Ashok Kumar Sharma Son of Late Chandeshwar Sharma, Resident of Village- Bandih Dakhili, P.S.- Tajpur, District- Samastipur.
4. Manju Kumari Wife of Mahesh Prasad Sharma, Resident of Village- Kesho Narayanpur, P.S.- Tajpur, District- Samastipur.
5. Krishna Deo Roy Son of Anupi Roy, Resident of Village- Dharampur Dakhili, P.S.- Tajpur, District- Samastipur.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The District Programme Officer (Establishment), Samastipur.
4. The Accountant General (A and E), Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate

For the Respondent/s : Mr. Vivek Anand Amritesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 12-12-2023

Heard Mr. Rakesh Kumar Sharma, learned counsel appearing on behalf of the petitioners and Mr. Vivek Anand Amritesh, learned counsel for the State.

2. The petitioners have filed the writ petition, on being aggrieved by the letters, all dated 20.08.2022, whereby, the respondent no. 4 has passed an order of recovery from the death-cum-retiral gratuity of the petitioners, which in the submission of the petitioners, is in the teeth of the order dated 23.09.2022, passed by the learned co-ordinate Bench of this

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Court in CWJC No. 2783 of 2021 (Chandrakant & Ors. Vs. The State of Bihar & Ors.).

3. During the pendency of the writ petition, the pending representation of the petitioner also came to be rejected and the same has also been challenged by filing an Interlocutory Application No. 01 of 2023.

4. Today, when the matter has been taken up, a letter as contained in Memo No. 5030 dated 10.10.2023 issued under the signature of District Programme Officer (Establishment) Samastipur has been produced before this Court and the same is taken on record.

5. Referring to the aforesaid letter, learned counsel for the State submitted at the bar that in pursuant to the order of this Court dated 30.10.2023, the due death-cum-retiral gratuity amount of the petitioners have already been sanctioned and accorded in their favour.

6. In view of the submissions advanced on behalf of the State and taking note of the letter issued under the signature of District Programme Officer (Establishment) Samastipur, this Court finds that the grievance of the petitioners have been redressed and, as such, the present writ petition stands disposed of.

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7. It is expected that the respondent Accountant General (A & E), Bihar shall issue necessary authority letter in favour of the petitioners, whereupon, the concerned Treasury Officer shall ensure the payment thereof.

8. Needless to observe that in case the petitioners have any grievance with regard to the actual payment, he/they are at liberty to move before an appropriate forum to ensure their payment.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2023.
Transmission Date	NA

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