

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10364 of 2023

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Ramchandra Prasad Son of Late Mohan Bhagat Resident of KSFA-2/4
Madhuvan Housing Complex, Lohia Nagar, Kankarbagh, P.S.- Patrakar
Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health and Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health and Engineering Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Public Health and Engineering Department, Govt. of Bihar, Patna.
4. The Joint Secretary (Management Cell), Public Health and Engineering Department, Govt. of Bihar, Patna.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. S. Raza Ahmad (AAG- 5)
		Mr. Vishwambhar Prasad, AC to AAG-5
For the A.G.	:	Mr. Binod Kumar Labh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 05-10-2023

Heard Mr. Ranjeet Kumar, learned counsel
appearing on behalf of the petitioner; Mr. S. Raza Ahmad,
learned AAG-5 appearing on behalf of the State and Mr. Binod
Kumar Lab, learned counsel for the Accountant General, Bihar.

2. Learned counsel appearing on behalf of the State
informs this Court that admissible dues has already been paid to
the petitioner along with 90 percent provisional pension,
however, because of pendency of two departmental proceedings,
full amount of gratuity and leave encashment have been



withheld.

3. The Disciplinary Authorities are directed to pass necessary order in terms of the circular of the State Government issued from time to time that disciplinary proceeding should not be kept pending against an employee beyond a period of three months from the date of its initiation. The two disciplinary proceedings, which are pending against the petitioner are directed to be concluded within a period of three months without delay.

4. In case the petitioner is found to be exonerated from the proceedings, full pension and gratuity along with leave encashment, which are due to the petitioner are directed to be paid within a further period of one month from the date of passing of the final order.

5. In case of delay, the petitioner is at liberty to take appropriate legal action against the concerned authorities.

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

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	07.10.2023
Transmission Date	N/A

