

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21173 of 2021

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Kumar Avinash son of Subansh Sinha Retired Junior Engineer, Public Health Division, Supaul, Department of Public Health and Engineering, Bihar, Patna, resident of Sheohar, P.S. and District- Sheohar, presently residing at C/o Amarnath Kumar, Ward No.- 20, Mohalla- Narayanpur, Hanuman Nagar, P.S.- Barbigaha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Public Health and Engineering, Government of Bihar, Patna.
2. The Joint Secretary, Department of Public Health and Engineering, Government of Bihar, Patna.
3. The Engineer-in- Chief, Department of Public Health and Engineering, Government of Bihar, Patna.
4. The Regional Chief Engineer, Department of Public Health and Engineering, Muzaffarpur.
5. The Regional Chief Engineer, Public Health and Engineering, Purnea.
6. The Superintending Engineer, Public Health and Engineering, Circle, Darbhanga.
7. The Superintending Engineer, Public Health and Engineering, Circle, Saharsa.
8. The Executive Engineer, Public Health and Engineering, Darbhanga.
9. The Executive Engineer, Public Health and Engineering, Supaul.
10. The Executive Engineer, Public Health and Engineering, Siwan.
11. The Executive Engineer, Public Health and Engineering, Sheohar.
12. The Treasury Officer, Supaul.
13. The Accountant General, Bihar, Birchand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Vishwambhar Prasad, Ac to AAG-5

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 11-01-2023 Learned counsel for the petitioner and counsel for the State appeared.

Learned counsel for the petitioner filed the rejoinder to the counter affidavit in the court itself. Counsel for the

petitioner submits that order dated 17.11.2022 about payment of 90% pension have been complied as well as arrear of pension has been complied but ACP and 7th pay revision has also not been paid.

Counsel for the respondents submits that in the counter affidavit it has been categorically stated that 90% amount towards pension paid as well as arrears of pension has also been paid. He also submits that there is criminal as well as departmental proceedings pending against the petitioner and rest of payment shall be made to him subject to the decision of the said departmental and criminal proceedings.

In this above facts and circumstances, this application is hereby disposed off with liberty granted to the petitioner that if he is found entitled for some more arrears or retiral benefits even during pendency of the criminal or departmental proceedings against him, he shall file representation before the authority and authority shall pass a reasoned order in this circumstances within 4 months from the date of receiving of the said representation in accordance with law.

(Dr. Anshuman, J.)

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