

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.378 of 2023

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Kamal Kishore Prasad Son of Late Mahendra Ram, Resident of Mohalla - Saket Bihar Colony, P.O. - Ramjaipal Nagar, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Health Department, Govt. of Bihar, New Secretariat, Patna.
3. The Under Secretary, Health Department, Govt. of Bihar, New Secretariat, Patna.
4. The Treasury Officer, Sachiwalaya Treasure, Vikash Bhawan, Patna.
5. The Principal Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate
For the Respondent/s : Mr. Manoj Kumar Yadav, AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 06-07-2023 Heard Mr. Shailendra Kumar, learned counsel appearing on behalf of the petitioner and Mr. Manoj Kumar Yadav, learned AC to learned GA-10 for the respondents- State.

2. Learned counsel appearing on behalf of the petitioner informs this Court that substantial amount of pensionary benefits has been paid to the petitioner, however, an amount of Rs. 2,77,009/- has been adjusted on account of excess payment. Learned counsel submitted that before adjusting the alleged excess amount paid to the petitioner, the petitioner is required to be heard as such adjustment has penal consequences.

3. Considering the aforesaid fact, the Additional Chief



Secretary, Health Department, Government of Bihar, is directed to look into the matter and take final decision after providing all the materials with respect to the alleged adjustment of an amount of Rs. 2,77,009/- from the pensionary benefits of the petitioner within a period of six weeks.

4. The petitioner must be informed by any mode on or before 17.07.2023 before taking any final decision in the case of the petitioner.

5. The respondent(s) must ensure that entire amount which has been sanctioned must be credited into the account of the petitioner along with statutory interest till the date of payment within a period of one week and information to that extent must be furnished before the Additional Chief Secretary, Health Department, Government of Bihar, by the Treasury Officer, Sachiwalaya Treasure, Vikash Bhawan, Patna, within a period of two weeks.

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

(Purnendu Singh, J)

Niraj/Nilmani

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