

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1617 of 2020

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Poonam Kumari, Wife of Sudhir Kumar, Resident of New Colony, Chitragupt
Nagar, Kankarbagh, P.S. Patrakarnagar, District-Patna-800020.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary-cum-Principal Secretary, Education
Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Regional Deputy Director, Patna Division, Government of Bihar, Patna.
5. The District Education Officer, Patna.
6. Principal, Government Girls High School, Bankipur, Patna.
7. The Accountant General, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kumar Kaushik, Adv.
For the State		Mr. Prabhakar Jha, G.P.-27
For the Accountant General		Mr. Arun Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 02-04-2024

Re: I.A. No. 01 of 2021

2. This interlocutory application has been filed

for addition of the following relief in para-1 of the main writ

petition:

*I. For issuance of an order, direction or
a writ of certiorari for quashing and
setting aside the order contained in
Memo No. 603 dated 13.04.2021 issued
under the signature of respondent no. 4
whereby and whereunder the petitioner
has been inflicted with the punishment*



of withholding of 100% pension in purported exercise of powers under Rule 43 (b)/139 of the Bihar Pension Rules.

ii. For issuance of an order direction or an appropriate writ for staying the operation of the aforesaid order contained in Memo No. 603 dated 13.04.2021 during the pendency of the present writ application.

3. The present interlocutory application being formal in nature, is not opposed, hence is allowed.

Re: C.W.J.C. No. 1617 of 2020

4. Heard learned counsel for the petitioner and learned counsel for the respondents.

5. This writ petition has been filed for quashing of the order dated 13.04.2021 bearing Memo No. 603 issued under the signature of the Regional Deputy Director, Patna Division, Government of Bihar, Patna by which the petitioner has been inflicted with the punishment of withholding of 100% pension in purported exercise of power under Rule 43(b)/139 of the Bihar Pension Rules.

6. At very outset, learned counsel for the petitioner submits that this writ petition is squarely covered with judgment dated 27.02.2024 passed in LPA No. 1219/2023 and analogous



case.

7. Considering the facts as available on record and the submissions of learned counsel for the parties, this writ petition is allowed, in view of the order dated 27.02.2024 passed in L.P.A. No. 1219 of 2023, setting aside the order dated 13.04.2021 passed by the Regional Deputy Director, Patna Division, Government of Bihar, Patna.

(Anjani Kumar Sharan, J)

devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.04.2024
Transmission Date	NA

