

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1934 of 2022

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Ramanand Singh Son of Late Genalal Singh, Resident of Village -
Paigambarpur Bargama, Post Office - Sandho, Police Station and Block -
Goraul, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The District Panchayati Raj Officer, Vaishali.
4. The Block Development Officer, Mahua, District - Vaishali.
5. The District Provident Fund Officer, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Adv.
For the Respondent/s	:	Mr. Kumar Alok, SC 7
		Mr. Prem Ranjan Raj, AC to SC 7

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 13-08-2024

Heard Mr. Arun Kumar, learned Advocate for the petitioner and Mr. Prem Ranjan Raj, learned Advocate for the State.

2. The petitioner has approached this Court seeking a direction upon the respondents to ensure payment of all his retiral benefits in view of order dated 12.07.2021 passed in CWJC No. 19034 of 2015 whereby the learned coordinate Bench of this Court while setting aside the order of dismissal dated 04.04.2015 had directed to reinstate the petitioner and remand back the matter to conduct *de novo* enquiry and complete the same within six months.

3. Learned Advocate for the petitioner fairly contended that during the pendency of the writ petition, the petitioner has been allowed payment under the head of GPF, Group Insurance



and Leave Encashment, however, till date the petitioner has not been paid the gratuity and pension. It is further contended that despite the fact that the enquiry was to be completed within six months and the petitioner had already crossed the age of superannuation in August, 2020, the respondent authorities proceeded afresh in relation to the same memo of charge and inflicted punishment of dismissal *vide* Memo No. 940 dated 08.06.2024 which is wholly illegal and without jurisdiction; is the contention of the learned Advocate for the petitioner.

4. At this juncture, learned Advocate for the State submits that since the order of dismissal has already been passed, the same is required to be challenged by filing a fresh writ petition.

5. In view of the submission advanced on behalf of the respective parties, the present writ petition stands disposed of with liberty to the petitioner to assail the order of dismissal as contained in Memo No. 940 dated 08.06.2024 passed by the District Magistrate, Vaishali.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	14 .08.2024
Transmission Date	

