

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10260 of 2024

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Jitendra Prasad Singh Son of Shobnath Singh Resident of Village- Karma,
P.S.- Kudra, Post- Kudra, District- Bhabhua, at present resident of Mohalla-
Minapur, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Home (Police) Department, Patna.
2. The Secretary, Home (Police) Department, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General of Police, Central Zone, Patna.
5. The Deputy Inspector General of Police, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Senior Superintendent of Police, Supaul.
8. The Senior Superintendent of Police, Darbhanga.
9. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Sr. Advocate Mr. Prashant Kashyap, Advocate
For the Respondent/s	:	Mr. Government Pleader (24)
For the Accountant General:	:	Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2024 Heard learned Senior counsel for the petitioner,

learned counsel for the State and learned counsel for the

Accountant General.

2. Learned Senior counsel for the petitioner submits

that the present writ petition has been filed for a direction to the

respondents to fix and commence the petitioner's pension and to



pay the gratuity and other admissible retiral dues to the petitioner who has retired as Sub-Inspector of Police on 31.01.2024.

3. Learned Senior counsel for the petitioner submits that the petitioner was earlier dismissed from the service but by the interference of the Hon'ble Court his service was reinstated. Thereafter, he served the department and then he retired. He submits that after retirement, the period in which he was not worked due to departmental proceeding has not been considered. Learned Senior counsel submits that he has filed the representation before respondent No.3 praying therein that pensionary benefits be granted to him in the light of treating him in continuous service since departmental proceeding has been quashed.

4. Learned counsel for the State submits that according to law this aspect has to be categorically decided under Rule 13 of the CCA Rules, 2005.

5. In the light of submissions made, it is directed to the Director General of Police, Bihar, Patna, that he shall pass an order with regard to his period of service during which he was subjected to departmental proceeding and could not work due to departmental proceeding but subsequently he was



reinstated. He shall take a decision on this issue within 90 days and if he finds fit for payment then within 60 days thereafter shall calculate his arrears and assure the payment towards his retiral dues but if not then shall pass a reasoned and speaking order in this regard. The petitioner is directed to file his representation afresh along with the order passed by this Court within 30 days.

6. With this direction, this writ petition is disposed off.

(Dr. Anshuman, J)

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