

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12563 of 2024

Kanchan Devi Wife of Vidyanand Jha, resident of Mohalla-Saharsa Purani Jail, Ward No. 20, P.S.-Saharsa Sadar, District-Saharsa, presently posted as Panchayat Sachiv under Simri Bakhtiyarpur Block, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
2. The Director, Department of Panchayati Raj, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The District Panchayati Raj Officer, Saharsa.
5. The Sub-Divisional Officer, Saharsa Sadar, District-Saharsa.
6. The Sub-Divisional Officer, Simri Bakhtiyarpur, District-Saharsa.
7. The Block Development Officer, Nauhatta, District-Saharsa.
8. The Block Development Officer, Kahra, District-Saharsa.
9. The Block Development Officer, Simri Bakhtiyarpur, District-Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Mr. Swapnil Kumar Singh, AC to GP- 19

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-08-2024 Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner has filed the present writ application to conclude the departmental proceeding pending against the petitioner which was initiated vide Memo No. 11 dated 08.01.2018 but till date the departmental proceeding has not been concluded.

3. Learned counsel for the petitioner submits that



the petitioner is also entitled for the subsistence allowances in the light of letter No. 499 dated 24.03.2023 issued by the District Panchayati Raj Officer through the Block Development Officer, Bakhtiyarpur.

4. Learned counsel for the State submits that from the Charge Memo, the allegation of defalcation of huge amount is there and until and unless the proceeding shall not be concluded, payment can not be made.

5. In response thereof, learned counsel for the petitioner submits that no dues certificate has been provided to the petitioner and as on date there is no dues against the petitioner.

6. In the light of the submissions made, it is directed to the District Magistrate, Saharsa (respondent No. 3) to do all the needful so that the departmental proceeding pending against the petitioner be concluded within six months from the date of production of the order. The District Magistrate, Saharsa (respondent No. 3) shall verify that there is no dues against the petitioner then in that case he shall take all steps for payment in the light of letter No. 499 dated 24.03.2023.



7. With this direction the writ petition stands disposed off.

(Dr. Anshuman, J.)

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