

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14 of 2019

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Lalan Ram S/o Dina Nath Ram Resident of Village-Arwal Sipah, P.O. and
P.S. District-Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Patna.
2. The Director, Primary Education, New Secretariat, Patna-1
3. The Deputy Director, Primary Education, New Secretariat, Patna-1
4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur
5. The District Education Officer, East Champaran, Motihari
6. The District Programme Officer, East Champaran, Motihari
7. The Block Education Officer, Pakari Dayal, East Champaran, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Prasad, Advocate
For the Resp-State : Mr. Mukund Mohan Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

13 23-07-2024 Heard Mr. Dhananjay Prasad, learned counsel for the

petitioner and Mr. Mukund Mohan Jha, learned counsel for the

State.

2. The petitioner has approached this Court for
payment of all his retiral benefits as well as half salary for the
period in which he was under suspension.

3. At the outset, learned counsel for the petitioner
submitted that so far the retiral benefits are concerned, the same



has already been accorded to the petitioner. However, till date neither subsistence allowance nor the half salary for the period during which the petitioner was under suspension has been paid.

4. Learned counsel for the State referring to the supplementary counter affidavit filed on behalf of respondent no.6, has apprised this Court that the departmental proceeding has already culminated by imposing punishment of withholding of two increments with non cumulative effect without any order of payment for the suspension period to the petitioner.

5. At this juncture, learned counsel for the petitioner submits that against the order of punishment as noted hereinabove, the petitioner has already preferred an appeal before the Director Primary Education, Government of Bihar, which is still pending.

6. Having heard the submissions of the respective counsels and taking note of the fact that all the retiral benefits have been paid to the petitioner, this Court deems it proper to close the writ petition.

7. Needless to observe that against the order of punishment, the petitioner has already preferred appeal before the Director Primary Education, Government of Bihar and his relief for subsistence allowance and half salary for the period of suspension shall be abide by the decision of the Director Primary Education, Government of Bihar.



8. In view thereof, the writ petition stands disposed of.

(Harish Kumar, J)

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