IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 6436 of 2024

Deepak Kumar Mishra, aged about 61 years, Son of Late Nivaran Chandra Mishra, Resident of Village-Rani Pokhar, P.O.-Baidmara, P.S.-Harla, Dist.-Bokaro …… Petitioner

Versus

1.The State of Jharkhand
2.The Deputy Commissioner, Bokaro, P.O.+P.S.-Bakaro, Dist.-Bokaro
3.The District Superintendent of Education, Bokaro, P.O. + P.S.-Bokaro, Dist.-Bokaro
4.The Block Education Extension Officer, Nawadih, P.O. + P.S. Nawadih, Dist.-Bokaro
5.The Block Education Extension Officer, Chandankyari, P.O. + P.S.-Chandankyari, Dist.-Bokaro …… Respondents

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CORAM: HON'BLE DR. JUSTICE S.N.PATHAK

For the Petitioner : Mr. Ranjan Kumar Singh, Advocate
For the Respondents : Mr. Amitesh Kumar Geasen, AC to AAG-IA

02/ 10.12.2024 Heard the parties.

2. Petitioner is aggrieved by withholding of amount of gratuity to the tune of Rs.10,46,753/-.

3. At the very outset, learned counsel for the petitioner submits that the said amount of gratuity was withheld in view of departmental proceeding. Petitioner was proceeded departmentally in which Enquiry Officer exonerated the petitioner from the charges which is at Annexure-2. No punishment was ever inflicted against the petitioner. Learned counsel further argued that already representation has been filed but no consideration has been done.

4. Learned counsel for the respondents very fairly submits that if the petitioner files fresh representation alongwith copy of the enquiry report the same shall be considered in accordance with law and if it is found that nothing is pending against the petitioner either criminal case or departmental proceeding, the amount of gratuity shall be released in accordance with law within a stipulated period.

5. In view of fair submissions of the parties, I hereby direct the respondents to consider the exoneration of the petitioner in the

departmental proceeding and if it is found that he is completely exonerated from the charges, the amount of gratuity should be immediately released preferably within a period of three weeks from the date of copy of this order.

6. Accordingly, the instant writ petition stands disposed of.

(Dr. S.N. Pathak, J.)

Rohit/-