

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5089 of 2019

Chittaranjan Das S/o Late Sitish Chandra Das Resident of Village-Bahagar,
P.O. Mahishal, P.S. Balrampur, Dist.-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director, Primary Education Department, Govt. of Bihar, Patna
3. The District Education Officer, Katihar
4. The District Programme Officer (Establishment), Katihar
5. The Block Education Officer, Balrampur
6. The Accountant General (A and E) Bihar, Patna
7. The Assistant Accountant Officer cum Senior Accountant Officer of Accountant General (A and E) Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Helal Ahmad
For the Respondent/s	:	Mr. Bijay Bhushan Pd, AC to SC13 Mr. Chaitanya Swaroop

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

6 12-01-2026 Heard learned counsel for the petitioner and
learned counsel for the respondents.

2. The instant writ application has been filed for quashing the order dated 24.10.2018 issued under Memo No. 2199 by the District Programme Officer (Establishment), Katihar, i.e., Respondent No. 4, whereby and whereunder the excess amount allegedly paid to the petitioner has been directed to be recovered from the retiral benefits/pension of the petitioner, without any fault on the part of the petitioner and



without issuing any show-cause notice or providing an opportunity of hearing to the petitioner. The petitioner has further prayed for a direction to the respondents to make payment of all retiral benefits to the petitioner from the date of his retirement, i.e., 31.01.2018, from the post of Headmaster of Aadarsh Middle School, Balrampur, and during the pendency of this writ application, to stay the operation of the order dated 24.10.2018 issued under Memo No. 2199 by Respondent No. 4.

3. Learned counsel for the State, by drawing the attention of this Court to the statements made in paragraphs 8, 9, and 10 of the counter affidavit filed on behalf of the respondents, submits that the grievance of the petitioner has already been redressed. The petitioner is receiving increments applicable to the post of Headmaster in terms of the provisions dated 01.09.1993. Insofar as the requirement of passing the examination pertaining to Hindi noting and drafting is concerned, the same has been waived for the purpose of admissible increments vide letter dated 19.09.2018, and considering the aforesaid, the pension papers forwarded by the Office of the Accountant General have already been returned for refixation of the petitioner's salary, and therefore, nothing survives for adjudication in the present case.



4. At this stage, learned counsel for the petitioner submits that he has tried to contact the petitioner for appropriate instructions but has failed despite several efforts.

5. Be that as it may, the grievances raised by the petitioner have already been redressed by the respondent-State, and appropriate submissions/ statements to that effect have been made in the counter affidavit. Accordingly, nothing survives for adjudication of the claim in the present case.

6. In the result, this writ application stands disposed of.

(Ajit Kumar, J)

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