

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5622 of 2026

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Suresh Ram Son of Late Jaigovind Ram, Resident of Village - Marutpur,
Police Station - Desari, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Vaishali at Hajipur.
3. The Conducting Officer-cum-Sub-Divisional Officer, Mahnar (Vaishali).
4. The Presenting Officer-cum-Block Development Officer, Desari Block.
5. The Block Development Officer, Patepur Block (Vaishali).
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Thakur
For the Respondent/s	:	Government Pleader (19)
		Mrs. Ritika Rani

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-04-2026 Heard learned counsel for the petitioner and

learned counsel for the respondents.

2. The instant writ application has been filed for directing Respondent No. 2 to ensure payment of all admissible post-retirement benefits to the petitioner, such as full and final pension, gratuity, leave encashment, GPF, GIC, and other benefits, if any, forthwith, as the petitioner superannuated on 30.10.2025 from the post of Lower Division Clerk in the office of Respondent No. 5.

3. Learned counsel for the petitioner submits that pursuant to the order dated 09.12.2021 passed in CWJC No.



6856 of 2021, whereby the orders of punishment passed by the disciplinary authority, which having been upheld by the appellate authority were set aside and the disciplinary authority was directed to conclude the proceedings from the defective stage within a period of three weeks, the said order dated 09.12.2021 has, till date, not been complied with. It is further submitted that owing to such pendency, the petitioner's claim for pension and other pensionary benefits has not been sanctioned, despite the petitioner having retired on 30.10.2025 from the post of Lower Division Clerk in the office of the Block Development Officer, Patepur Block (Vaishali).

4. It is next submitted that the Hon'ble Apex Court, in the case of **State of Uttar Pradesh through Principal Secretary vs. Ram Prakash Singh, in Civil Appeal No. 14724 of 2024**, has categorically held that once a time frame is fixed by the Court to conclude departmental proceedings and no extension of time is sought, the respondents are precluded from taking a final decision thereafter on the basis of the materials available on record. Accordingly, the petitioner's claim is required to be considered.

5. Considering the dictum of the Hon'ble Apex Court in the aforesaid case, the District Magistrate, Vaishali, is



directed to take a final decision with regard to the claim of the petitioner within a period of six weeks from today, in light of the judgment referred to hereinabove. The benefits for which the petitioner is found entitled shall also be extended in his favour within the same period.

6. With the aforesaid observations and directions, the instant writ application stands disposed of.

(Ajit Kumar, J)

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