

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15724 of 2023

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Rajendra Prasad Son of Late Ganauri Prasad, Resident of Village - Parariya Majhauri, P.S.- Sirdala, District -Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. A.G. Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Nawada.
5. The Treasury Officer, Nawada.
6. The District Panchayat Raj Officer, Nalanda.
7. The Block Development Officer, Govindpur, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Verma, Advocate
For the Respondent/s	:	Mr.Kameshwar Prasad Gupta (Gp 10)
For the AG, Bihar	:	Mrs. Ritika Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 24-07-2026 Heard learned counsel appearing on behalf of the

petitioner; learned counsel for the State and learned counsel for

the AG, Bihar.

2. Petitioner has *inter alia* prayed for following

reliefs in the paragraphs No.1 of the writ petition:-

“i. To issue a writ on the nature of mandamus for commanding the respondent authorities to release the retiral dues amount with statutory interest in favour of the petitioner.

ii. To direct the respondent authorities to pay the other consequential dues in favour of the petitioners.

iii. To direct the respondents authorities to fix the pension of the petitioner on the last pay received by the petitioner.

iv. Any other relief or reliefs for which the petitioner found entitled.”



3. Learned counsel appearing on behalf of the State informs that a counter affidavit has been filed on behalf of the respondent no.2, and in paragraphs no.6 and 7 thereof, details information regarding payment under different heads of retiral dues has been given.

4. The petitioner is not entitled for a sum of Rs.3,30,479 on account of advance under a Government scheme as he has not submitted work satisfaction certificate.

5. I find that any work which is carried in a Panchayat under different scheme of the Government, the responsibility of the Junior Engineer is to maintain the measurement book as per the PHED Code. In the present case, unilateral deduction of the amount from the retiral dues of the petitioner appears to be not in accordance with law. Accordingly, I direct the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar to call upon the service particulars of the petitioner along with the work, which was assigned to him and the measurement book in respect of such work, which was not completed and that facilitated to deduct Rs.3,30,479/-, in absence of any specific information in respect of the period during which payment was done for the work allegedly not done.

6. The Additional Chief Secretary is directed to pass a



reasoned order, based on the entire evidence in support of the allegation by giving reason that the petitioner has illegally gained a sum of Rs.3,30,479/-, if not then the action can only be rendered illegal, resulting into for payment of the amount, which has not been legally withheld, within a period of 6 weeks from the date of communication of this order.

7. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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