IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17556 of 2025

CNR No. BRHC011036332025

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Anand Kumar Pandey Son of Sri K.K. Pandey, Resident of Mohalla- West Laxmi Nagar, Khemnichak, Police Station- Sampatchak, District- Patna, New Jaganpur, Bihar- 800027.

... ... Petitioner/s

Versus

1. The State of Bihar through the Collector / District Magistrate, District- Patna, Bihar.
2. The Block Development Officer, Block- Maner, District- Patna.
3. The Head Assistant, Block- Maner, District- Patna, Bihar.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Hridayal Kumar, Advocate
For the Respondent/s : Mr. Harendra Pd. Singh, AAG 8
Mr. Anand Kumar Tiwari, AC to AAG 8

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 27-10-2026

Heard learned counsel appearing on behalf of the petitioner and learned counsel for the respondents.

RELIEF SOUGHT FOR:

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia,* the following relief(s), which is reproduced hereinafter:-

> *"That the present writ application is being filed on behalf of the petitioner who superannuated on 31.05.2024 from the post of Jansevak, popularly known as VLW from the Block- Maner, District- Patna, Bihar for the following reliefs:-*
>
> *i) To issue an appropriate writ/s, order/s, direction/s commanding the respondents to direct the respondent nos. 1 and 2 to release the retiral benefits as such (i) Family Pension, (ii) Gratuity, (iii) Earned Leave*

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(iv) G.P.F. with other dues like amount of (i) 2nd and 3rd A.C.P. which have already been granted but not credited to the petitioner's account (ii) dfiferential amount of 6th pay commission and the dues of 34 days of strike (strike date 07.01.2009 to 31.01.2009 and 01.02.2009 to 09.02.2009).

(ii) For issuance of any other relief/s for which he is entitled to as per law in the facts and circumstances of the case."

BRIEF FACTS OF THE CASE

3. The brief facts of the case are that the petitioner, who superannuated from service on 31.05.2024, was subjected to unilateral reduction of his basic pay from Rs.80,200/- to Rs.72,100/- by the respondent authorities, without affording him any opportunity of hearing or conducting any disciplinary enquiry. Consequently, the petitioner was deprived of the differential salary for the period from 01.07.2023 to 31.05.2024, and his provisional pension was also fixed on the basis of the reduced pay. Subsequently, the respondents initiated departmental proceedings against the petitioner under Rule 43(b) of the Bihar Pension Rules, 1950, vide Memo No.187 dated 30.01.2026, after having already given effect to the reduction in his basic pay and its consequential financial implications.

ARGUMENT ON BEHALF OF THE PETITIONER

4.Learned counsel appearing on behalf of the petitioner submitted that a supplementary counter affidavit has been filed on behalf of the respondents no.1 and 2 in

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compliance of the order dated 06.07.2026. This Court *inter alia* passed the order with following direction:

> *"5. Be that as it may, considering the aforesaid facts, the respondent District Magistrate, Patna is directed to look into the matter and ensure payment of the sanction amount, besides the other retiral benefits provisionally in the light of the order of this Court dated 14.05.2026, preferably within a period of two weeks from today."*

5. The petitioner is aggrieved on account of reduction in salary from his basic pay of Rs.80,200/- to 72,100/- on account of unilateral action by the respondents. Learned counsel further submitted that by issuing imputation of charge memo in Form "Ka" in accordance with Rule 17 of Bihar CCA Rules, 2005, as would appear from Memo No.187 dated 30.01.2026 which has been brought on record by the respondents no.1 and 2 by way of Annexure L to the counter affidavit, departmental proceeding was initiated against the petitioner. It is further contended that the respondents no.1 and 2 have not given any information, as to what is the stage of the departmental proceeding or as to whether, the enquiry or any conducting officer have been appointed. In this background, learned counsel, converting the information contained in the supplementary counter affidavit, submits that he has filed a rejoinder and in paragraph no.6 thereof, he has specifically given information that though the petitioner has received substantial amount under different heads but the action of the

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respondents cannot be said to be in accordance with law. He gives example in respect of fixing of pension at reduced rate of Rs. 72,100/- from his basic pay of Rs.80,200/-. Similarly, the salary for a period 01.07.2023 to 31.05.2024 has been unilaterally reduced to basic pay of Rs.72,100/-. In this regard, learned counsel submitted that it is well settled that once a penalty has been imposed, post decisional hearing will be an empty formality. Learned counsel submitted that the petitioner is entitled for entire amount of pension fixed at the basic pay of Rs.80,200/- and any reduction which has been made in fixation of pension of the petitioner unilaterally, the same is required to be credited accordingly. The petitioner is also entitled for payment of full amount of salary from 01.07.2023 to 31.05.2024. Learned counsel submitted that he has given the details, which the petitioner has received in paragraph no.6 of the rejoinder. Learned counsel lastly informs that the petitioner is aged about 62 years and he is suffering from liver cancer.

ARGUMENT ON BEHALF OF RESPONDENT:

6. *Per contra*, Mr. Harendra Prasad Singh, learned AAG 8 along with Mr. Anand Kumar Tiwari, submitted that the B.D.O Maner *vide* letter dated 15.05.2025 has sent requisition for initiating Certificate case to the ADM cum Certificate officer, Patna for recovery of Rs 63,84,239/- from the petitioner.

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The District Magistrate, Patna *vide* letter no. 2107 dated 23-07-2025 has directed the B.D.O Maner to frame Parapatra-ka against the petitioner and sent it to the D.P.R.O Patna, so that disciplinary proceeding is initiated against the petitioner. Pursuant to the direction given, the B.D.O Maner has framed Parapatra-ka and sent it to the D.P.R.O, Patna *vide* letter no. 1591 dated 08.09.2025 for needful in the matter. The District Magistrate, Patna *vide* letter no. 3940 dated 29-11-2025 directed the District Agriculture Officers, Patna to Conduct departmental proceeding against the petitioner in accordance with law. The Panchayat Secretary, Suarmarwan and Rampur Diyara Taufir has sent report dated 17.12.2025 that an amount of Rs. 9,83,507.17/- has still not been adjusted by the petitioner under different schemes in Gram Panchayat-Rampur Diyara Taufir. There is no dues under Gram Panchayat, Suarmarwan. It is apparent from the aforesaid facts and report submitted by the concerned Panchayat Secretaries that still a large sum of Government fund has not been adjusted by petitioner. Further, Certificate Case No.-01/2025-26 has been initiated against the petitioner for the recovery of the aforesaid due amounts and the said Certificate Case is under consideration and the respondents will take needful action in accordance with law in the aforesaid matter.

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7. Learned State counsel has given further information that in compliance of the order dated 23.04.2026 of this Court, a decision was taken in respect of the petitioner that still a sum of Rs.42,22,037/- is due, as the advance money against the petitioner, for which certificate case has been filed against the petitioner *vide* Block's Office Maner vide letter No.822 dated 15.05.2025. Learned counsel further submitted that the departmental proceeding and certificate proceeding which have been initiated against the petitioner is in accordance with law. Referring to paragraph no. 14 of the counter affidavit, learned counsel submitted that a sum of Rs.1,75,000/- is required to be adjusted by the petitioner under different schemes in Gram Panchayat Kita Chauhatter East. In respect of Gram Panchayat, Gyaspuran, an amount of Rs.7,82,500/- is also required to be adjusted. He further submitted that the certificate case has been initiated against the petitioner which has been brought on record by way of supplementary counter affidavit filed on behalf of the respondents no.1 and 2, no specific amount has been mentioned therein. In this background, learned counsel submitted that the petitioner having been paid the substantial amount on account of pension and salary under different heads, as the petitioner himself has admitted in paragraph no.6 of his rejoinder, the present writ petition, the

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relief prayed for becomes devoid of any merit, is fit to be dismissed.

QUESTION OF LAW INVOLVED IN THE BACKGROUND OF THE FACTS:

8. Heard the parties.

9. The petitioner had retired on 31.05.2024 and he admits that he has been paid a substantial amount, of which, he has given details in paragraph no.6 of his rejoinder. The petitioner retired at the basic pay of Rs.80,200/- He claims that as a result of reduction in the basic pay to Rs.72,100/-, he has received a sum of Rs.1,63,992/-, less than the actual provisional pension vide Memo No.873 dated 16.06.2026.

10. This Court can only make a comment in respect of the action of the respondents that they have not only reduced the pension of the petitioner unilaterally to a substantial amount, but at the same time, they have reduced the salary for a period of 01.07.2023 to 31.05.2024. The respondents have initiated a departmental proceeding only after this Court has interfered with the illegal action of the respondents belatedly on 03.01.2026 and at the same time, the respondents have also initiated a certificate case against the petitioner.

11. The departmental proceeding was initiated against the petitioner in accordance with Rule 43(B) of the

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Bihar Pension Rules, 1950 by serving a copy of memo contained in Memo No.187 dated 30.01.2026 during the pendency of the present writ petition. It is well settled principle of law that after imposing penalty, the post decisional hearing in disciplinary proceeding will only be an empty formality. The petitioner has not annexed the charge memo in Praptra "Ka" and at the same time, the respondents have only brought on record the communication contained in memo No. 187 dated 30.01.2026. The petitioner has stated that he is suffering from liver cancer and he is in urgent need of entire money.

12. In view of the facts and circumstances of the present case, particularly the pendency of Certificate Case No. 01/2025-26 for recovery of the alleged outstanding government dues and the departmental proceeding initiated against the petitioner under Rule 43(b) of the Bihar Pension Rules, 1950, it is necessary to clarify that the pendency of one proceeding does not, by itself, operate as a bar to the continuation of the other. The certificate proceeding is concerned with the recovery of the amount alleged to be due from the petitioner, whereas the departmental proceeding is directed towards examining the allegations against him in accordance with the applicable service rules.

13. It is an admitted fact that the reduction in the

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petitioner's basic pay was effected unilaterally for the period of basic pay from 01.07.2023 to 31.05.2024, whereas the certificate proceeding was subsequently instituted on 15.05.2025, bearing Certificate Case No. 01/2025-26. Thereafter, departmental proceedings were initiated on 30.01.2026, bearing Departmental Proceeding No. 01/2026, which are still pending consideration.

14. Both proceedings therefore were initiated simultaneously but after the recovery made during the pendency of the present writ petition. However, the mere initiation or pendency of such proceedings cannot, in itself, justify the unilateral reduction of the petitioner's pay or pension without authority of law and compliance with the applicable statutory requirements. In this regard, reliance may be placed upon the judgment of the Hon'ble Supreme Court in case of ***Jang Bahadur Singh v. Baij Nath Tiwari,*** reported in ***1969 (1) SCR 134 : AIR 1969 SC 30,*** wherein the Apex Court held that the pendency of civil or criminal proceedings does not, by itself, preclude the competent disciplinary authority from initiating or continuing disciplinary proceedings. The relevant observations of the Hon'ble Supreme Court are reproduced hereinbelow:

> ***"The issue in the disciplinary proceedings is whether the employee is guilty of the charges on which it is proposed to take action against him. The same issue may arise for decision in a civil or criminal proceeding pending in a court. But the pendency of the court***

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> ***proceeding does not bar the taking of disciplinary action.*** *The power of taking such action is vested in the disciplinary authority. The civil or criminal court has no such power. The initiation and continuation of disciplinary proceedings in good faith is not calculated to obstruct or interfere with the course of justice in the pending court proceeding. The employee is free to move the court for an order restraining the continuance of the disciplinary proceedings. If he obtains a stay order, a wilful violation of the order would of course amount to contempt of court. In the absence of a stay order the disciplinary authority is free to exercise its lawful powers." (emphasis supplied)*

15. It is well settled principle of law that pension is not a bounty and petitioner's right to pension is constitutionally protected under Article 300 A of the Constitution of India and such right could not be taken away, save and except by following due process of law.

16. The issue of reduction of pension has been considered by the Hon'ble Supreme Court in case of ***Vijay Kumar v. Central Bank of India & Ors.,*** reported in ***2025 INSC 848,*** wherein the appellant's pension was reduced to two-thirds of the full pension. The Hon'ble Supreme held that pension is a valuable right to property and can be curtailed only in accordance with law, and that all procedural safeguards prescribed under the applicable Pension Regulations must be strictly complied with. Accordingly, the Hon'ble Supreme Court set aside the order reducing the appellant's pension for non-compliance with the mandatory procedural requirements. The aforesaid judgment lays down the principle that the respondents

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cannot reduce or curtail the petitioner's pension arbitrarily or in violation of the applicable statutory provisions and mandatory procedural safeguards. The relevant paragraph of the aforesaid judgment is reproduced hereinafter:

> *"17. There is no cavil that pension is not a discretion of the employer but a valuable right to property and can be denied only through authority of law. When an authority is vested with the discretion to grant pension less than full pension admissible under the Pension Regulations, all procedural safeguards in favour of the employee including prior consultation must be strictly followed."*

17. It is well settled principle of law that where an administrative decision adversely affects the service conditions, salary or pensionary entitlements of an employee, the authority concerned is under an obligation to act fairly and afford a reasonable opportunity of hearing before taking such a decision. In the present case, the respondents have adopted a procedure whereby the reduction in basic pay was effected first and the disciplinary proceedings were initiated thereafter. If such reduction was intended to operate as a penalty, the same could not have been imposed without following the procedure prescribed under the applicable service rules. The subsequent initiation of disciplinary proceedings cannot, by itself, cure the illegality arising from the denial of a reasonable opportunity of hearing before the adverse decision was taken. A post-decisional hearing, particularly where the decision has already been

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implemented and has resulted in adverse civil consequences, cannot ordinarily be regarded as an adequate substitute for a pre-decisional hearing. The very object of the principles of natural justice is to ensure that the person likely to be affected is afforded an effective opportunity to defend himself before the competent authority arrives at a decision, rather than being called upon to justify his position after the adverse action has already been taken.

18. In this regard, it would be apposite to refer to the judgment of the Hon'ble Supreme Court in ***K.I. Shephard v. Union of India*****,** reported in ***(1987) 4 SCC 431,*** wherein the Apex Court, while considering the applicability of the principles of natural justice to administrative decisions involving adverse civil consequences, held that even an administrative authority is required to act fairly and afford an effective opportunity of hearing to a person whose rights or interests are likely to be adversely affected by its decision. The Apex Court further emphasised that the requirement of fairness in administrative action is an integral part of the principles of natural justice and that a decision affecting the livelihood or financial interests of an individual cannot ordinarily be taken without affording him an opportunity to meet the allegations against him. The observations made by the Hon'ble Supreme Court in paragraphs

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12, 13 and 15 of the aforesaid judgment are reproduced hereinafter:-

> *"**12.** Mullan in Fairness: The New Natural Justice has stated:*
>
> *"Natural justice co-exists with, or reflected, a wider principle of fairness in decision-making and that all judicial and administrative decision-making and that all judicial and administrative decision-makers had a duty to act fairly."*
>
> ***In the case of State of Orissa v. Dr (Ms) Binapani Dei [AIR 1967 SC 1269 : (1967) 2 SCR 625 : (1967) 2 LLJ 266] this Court observed:***
>
> ***"It is true that the order is administrative in character, but even an administrative order which involves civil consequences as already stated, must be made consistently with the rules of natural justice after informing the first respondent of the case of the State, the evidence in support thereof and after giving an opportunity to the first respondent of being heard and meeting or explaining the evidence. No such steps were admittedly taken: the High Court was, in our judgment, right in setting aside the order of the State."***
>
> *(emphasis supplied)*
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> *In A.K. Kraipak v. Union of India [(1969) 2 SCC 262 : (1970) 1 SCR 457] a Constitution Bench quoted with approval the observations of Lord Parker in Re: (H) K (an infant) [(1969) 3 SCC 84 : (1970) 2 SCR 600 : 38 FJR 1] . Hegde, J. speaking for the Court stated: (SCC p. 272, para 20)*
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> *"Very soon thereafter a third rule was envisaged and that is that quasi-judicial enquiries must be held in good faith, without bias and not arbitrarily or unreasonably. But in the course of years many more subsidiary rules came to be added to the rules of natural justice. Till very recently it was the opinion of the courts that unless the authority concerned was required by the law under which it functioned to act judicially there was no room for the application of the rules of natural justice. The validity of that limitation is now questioned. If the purpose of the rules of natural justice is to prevent miscarriage of justice one fails to see why those rules should be made inapplicable to administrative enquiries. Oftentimes it is not easy to draw the line that demarcates administrative enquiries from quasi-judicial enquiries. Enquiries which were considered administrative at one time are now being considered as quasi-judicial in character. Arriving at a just decision is the aim of both quasi-judicial enquiries as well as administrative enquiries. An unjust decision in an*

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administrative enquiry may have more far-reaching effect than a decision in a quasi-judicial enquiry."

These observations in A.K. Kraipak case [(1969) 2 SCC 262 : (1970) 1 SCR 457] were followed by another Constitution Bench of this Court in Chandra Bhavan Boarding and Lodging, Bangalore v. State of Mysore [(1969) 3 SCC 84 : (1970) 2 SCR 600 : 38 FJR 1] . In Swadeshi Cotton Mills v. Union of India [(1981) 1 SCC 664 : AIR 1981 SC 818 : (1981) 2 SCR 533 : (1981) 51 Com Cas 210] a three Judge Bench of this Court examined this aspect of natural justice. Sarkaria, J. who spoke for the court, stated: (SCC pp. 683-84, para 28)

"During the last two decades, the concept of natural justice has made great strides in the realm of administrative law. Before the epoch-making decision of the House of Lords in Ridge v. Baldwin [1964 AC 40 : (1963) 2 All ER 66 (HL)] it was generally thought that the rules of natural justice apply only to judicial or quasi-judicial proceedings; and for the purpose, whenever a breach of the rule of natural justice was alleged, courts in England used to ascertain whether the impugned action was taken by the statutory authority or tribunal in the exercise of its administrative or quasi-judicial power. In India also, this was the position before the decision dated February 7, 1967, of this Court in Dr Binapani Dei case [AIR 1967 SC 1269 : (1967) 2 SCR 625 : (1967) 2 LLJ 266] ; wherein it was held that even an administrative order or decision in matters involving civil consequences, has to be made consistently with the rules of natural justice. This supposed distinction between quasi-judicial and administrative decisions, which was perceptibly mitigated in Binapani Dei case [AIR 1967 SC 1269 : (1967) 2 SCR 625 : (1967) 2 LLJ 266] was further rubbed out to a vanishing point in A.K. Kraipak v. Union of India [(1969) 2 SCC 262 : (1970) 1 SCR 457] . . . ."

On the basis of these authorities it must be held that even when a State agency acts administratively, rules of natural justice would apply. As stated, natural justice generally requires that persons liable to be directly affected by proposed administrative acts, decisions or proceedings be given adequate notice of what is proposed so that they may be in a position (a) to make representations on their own behalf; (b) or to appear at a hearing or enquiry (if one is held); and (c) effectively to prepare their own case and to answer the case (if any) they have to meet.

13. *Natural justice has various facets and acting fairly is one of them. RBI which monitored the three amalgamations was required to act fairly in the facts of the case. The situation necessitated a participatory enquiry in regard to the excluded employees. Since the decision to exclude them from service under the transferee banks is*

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grounded upon a set of facts the correctness whereof they deny, if an opportunity to know the allegations and to have their say had been afforded, they could have no grievance on this score. The action deprives them of their livelihood and brings adverse civil consequences and could obviously not be taken on the ipse dixit of RBI officers without verification of facts. It is quite possible that a manoeuvring officer of the banking company adversely disposed of towards a particular employee of such bank could make a report against such employee and have him excluded from further service under the transferee bank. The possibility of exclusion on the basis of some mistake such as to identity cannot also be ruled out. There is all the more apprehension of this type as the process has to be completed quickly and very often the records of a large number of employees have to be scrutinised. We are of the view that rules of natural justice apply to administrative action and in the instant cases the decision to exclude a section of the employees without complying with requirements of natural justice was bad.

***15.** Fair play is a part of the public policy and is a guarantee for justice to citizens. In our system of Rule of Law every social agency conferred with power is required to act fairly so that social action would be just and there would be furtherance of the well-being of citizens. The rules of natural justice have developed with the growth of civilisation and the content thereof is often considered as a proper measure of the level of civilisation and Rule of Law prevailing in the community. Man within the social frame has struggled for centuries to bring into the community the concept of fairness and it has taken scores of years for the rules of natural justice to conceptually enter into the field of social activities. We do not think in the facts of the case there is any justification to hold that rules of natural justice have been ousted by necessary implication on account of the time frame. On the other hand we are of the view that the time limited by statute provides scope for an opportunity to be extended to the intended excluded employees before the scheme is finalised so that a hearing commensurate to the situation is afforded before a section of the employees is thrown out of employment."*

19. The Apex Court in case of ***H.L. Trehan & Others v. Union of India & Others***, reported in ***(1989) 1 SCC 764,*** while considering its earlier judgment in case of ***K.I. Shephard (supra),*** reiterated that a post-decisional opportunity of hearing does not fulfil the requirements of the principles of

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natural justice. The Apex Court observed that an authority undertaking a post-decisional hearing would naturally proceed with a closed mind, leaving hardly any possibility of a fair and genuine consideration of the representation submitted by the affected person. It was, accordingly, held that an opportunity of hearing afforded after the decision has already been taken cannot substitute an effective pre-decisional hearing, particularly where the decision adversely affects the rights or conditions of service of the concerned persons. The relevant paragraph of the aforesaid judgment is *inter alia* as under:

> *"**12.** It is, however, contended on behalf of CORIL that after the impugned circular was issued, an opportunity of hearing was given to the employees with regard to the alterations made in the conditions of their service by the impugned circular. **In our opinion, the post-decisional opportunity of hearing does not subserve the rules of natural justice. The authority who embarks upon a post-decisional hearing will naturally proceed with a closed mind and there is hardly any chance of getting a proper consideration of the representation at such a post-decisional opportunity.** In this connection, we may refer to a recent decision of this Court in K.I. Shephard v. Union of India [(1987) 4 SCC 431 : 1987 SCC (L&S) 438] . What happened in that case was that the Hindustan Commercial Bank, the Bank of Cochin Ltd. and Lakshmi Commercial Bank, which were private banks, were amalgamated with Punjab National Bank, Canara Bank and State Bank of India respectively in terms of separate schemes drawn under Section 45 of the Banking Regulation Act, 1949. Pursuant to the schemes, certain employees of the first mentioned three banks were excluded from employment and their services were not taken over by the respective transferee banks. Such exclusion was made without giving the employees, whose services were terminated, an opportunity of being heard. Ranganath Misra, J. speaking for the court observed as follows: (SCC pp. 448-49, para 16)*
>
> *"We may now point out that the learned Single Judge for the Kerala High Court had proposed a post-amalgamation hearing to meet the situation but that*

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> *has been vacated by the Division Bench. For the reasons we have indicated, there is no justification to think of a post-decisional hearing. On the other hand the normal rule should apply. It was also contended on behalf of the respondents that the excluded employees could not represent and their case could be examined. We do not think that would meet the ends of justice. They have already been thrown out of employment and having been deprived of livelihood they must be facing serious difficulties. There is no justification to throw them out of employment and then give them an opportunity of representation when the requirement is that they should have the opportunity referred to above as a condition precedent to action. It is common experience that once a decision has been taken, there is a tendency to uphold it and a representation may not really yield any fruitful purpose."*
>
> ***13.*** *The view that has been taken by this Court in the above observation is that once a decision has been taken, there is a tendency to uphold it and a representation may not yield any fruitful purpose. Thus, even if any hearing was given to the employees of CORIL after the issuance of the impugned circular, that would not be any compliance with the rules of natural justice or avoid the mischief of arbitrariness as contemplated by Article 14 of the Constitution. The High Court, in our opinion, was perfectly justified in quashing the impugned circular"*

20. From the counter affidavit and rejoinder affidavit filed by the petitioner, it is admitted that the petitioner has been paid under different heads towards his retiral dues and other consequential benefits; however, he is aggrieved by the alleged non-payment of the differential amounts under various heads. So far as leave encashment is concerned, the petitioner has received Rs.9,80,550/- as against Rs.10,80,000/- claimed to be admissible, thereby alleging a shortfall of Rs.99,450/-. The petitioner has also contended that although provisional pension was sanctioned, the same has not been regularised and he has not received pension for the months of June and July, 2026.

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Further, towards the benefits of ACP/MACP for the period from 01.07.2009 to 31.05.2024, the petitioner has claimed a differential amount of Rs.12,00,000/-, out of which he seeks payment of Rs.10,80,000/- upon release of 90% thereof. It has also been stated that against the total GPF accumulation of Rs.17,00,000/-, only Rs.15,30,000/-, being 90% thereof, has been paid to him and the balance amount of Rs.1,70,000/- remains unpaid.

21. In view of the facts and circumstances of the case and law laid down by the Apex Court as refereed hereinabove, the petitioner is at liberty to make a representation before the disciplinary authority and the departmental head for considering his case on priority basis, taking into consideration his ill health, so that a final decision can be taken in the departmental proceeding if any pending, against the petitioner, and pay the admitted dues be paid to the petitioner, who had retired on 31.05.2024 keeping in mind that the petitioner is suffering from severe liver cancer.

22. The writ petition, accordingly, stands disposed of.

Sanjay/- **(Purnendu Singh, J)**

AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	29.10.2026
Transmission Date	NA

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