

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5195 of 2015

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Sudama Sharma, son of late Ramashish Sharma, Resident of Patel Nagar,
Sri Ram Path, House No. 90, P.S. Shastri Nagar, Dist. Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Registrar, Co-operative Society, Bihar, Patna.
2. District Magistrate, Bhagalpur.
3. Block Development Officer, Kahalgaon, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Respondent/s : Mr. D.K. Prasad, GP7

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 21-04-2015

Heard learned counsel for the parties.

The prayer of the petitioner in this writ application for giving a direction to the respondents to dispose of the representation of the petitioner dated 4.11.2014 at least under the garb of retirement benefit is wholly misconceived. The petitioner on an earlier occasion after retirement had moved this Court in CWJC No. 24164 of 2013 and out of four reliefs only one was with regard to retirement benefit, namely, leave encashment. The respondents, thereafter, in terms of the order of this Court dated 17.9.2014 had disposed of the writ application by referring to the statement made in the counter affidavit and directing the petitioner to provide bank account number so that the payment could be released and deposited in his account. Thereafter, the petitioner

was paid the amount but he had found that there were certain short payment. For that purpose, he has filed a representation on 4.11.2014 as contained in Annexure-3. That representation, however, is not in respect of any retirement benefit and is basically confined to the issue of reduction of the salary or the benefit of first and second ACP. These benefits are not retirement benefit and, therefore, this Court would find no reason to direct the respondents to dispose of the representation of the petitioner.

That being so, this application is disposed of with a liberty to the petitioner to move competent authority or file a fresh writ application for claiming benefit of arrear of salary and/or benefits of ACP.

With the aforementioned observation, this application is disposed of.

(Mihir Kumar Jha, J)

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