IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 9310 of 2012

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Md. Sharfuddin Son of Late Rafiq Ahmad Resident of Mohalla- Road No. 5, New Karim Bag, Police Station- Civil Line, Gaya, District- Gaya.

.... Petitioner/s

Versus

1. The Principal Secretary-cum-Chairman, Bihar Industrial Area Development Authority, 2nd Floor, New Secretariat Building, Bailey Road, Patna.
2. The Bihar Industrial Area Development Authority, Udhyog Bhawan, East Gandhi Maidan, Patna-800004.
3. The Managing Director, Bihar Industrial Area Development Authority, Udhyog Bhawan, East Gandhi Maidan, Patna-800004.
4. The Secretary, Bihar Industrial Area Development Authority, Udhyog Bhawan, East Gandhi Maidan, Patna-800004.
5. The Executive Director, Bihar Industrial Area Development Authority, Udhyog Bhawan, East Gandhi Maidan, Patna-800004.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 18-12-2015

Heard learned counsel for the parties.

Though the issue with regard to the petitioner relates to payment of gratuity with the upper limit of Rs. 10,00,000/- and also payment of leave encashment, learned counsel for the petitioner very fairly submits that in view of the decision of the BIADA to grant benefit of the leave encashment of 300 days, having been made effective from 07.01.2015, the petitioner having superannuated prior to that, he shall not press the point in the present writ application. It is further his contention that even the amount at the pre-existing limit has also not been fully paid.

Learned counsel for the petitioner has drawn the attention of the Court to an order dated 23.11.2015 passed in C.W.J.C. No. 181 of 2015 by which the Court has disposed off the writ petition holding that the BIADA is liable to pay gratuity with an upper limit of Rs. 10,00,000/-. Learned counsel for the respondents does not dispute the position.

In view of the aforesaid, the present writ application also stands disposed off in terms of the order dated 23.11.2015 passed in C.W.J.C. No. 181 of 2015 with the only modification that the amount shall be paid latest by 31st October, 2016.

(Ahsanuddin Amanullah, J.)

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