

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7328 of 2013

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M. Nafisuddin S/o Late M. Raeesuddin R/o Ali Nagar, Road No. A/3, Anishabad,
District- Patna - 800002

.... Petitioner/s

Versus

1. The State of Bihar through Commissioner-Cum-Secretary, Urban Development and Housing Department, New Secretariat, Patna.
2. The Patna Regional Development Authority (Dissolve)/Patna Municipal Corporation through its Municipal Commissioner, Maurya Lok Complex, Block-C, 2nd Floor, Dakbunglow Road, Patna-800001.
3. The Municipal Commissioner, Patna Regional Development Authority (Dissolve)/Patna Municipal Corporation Maurya Lok Complex, Block-C, 2nd Floor, Dakbunglow Road, Patna-800001.
4. The Controller of Finance and Accounts, Patna Regional Development Authority (Dissolve)/Patna Municipal Corporation, Maurya Lok Complex, Block-C, 2nd Floor, Dakbunglow Road, Patna-800001.

.... 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: 22-12-2015

Heard learned counsel for the parties.

Pursuant to order dated 18.12.2015, the
Municipal Commissioner, Patna Municipal Corporation is present.

Counter affidavit has also been filed on behalf of
respondents no. 2 to 4.

The petitioner superannuated in the year 1998
and till date his dues which according to him comes to less than
Rs. 50,000/- has not been paid. Learned counsel for the petitioner
submits that the job being non pensionable, the only source of
succor is this meager amount which has also not been paid since
1998.

Though the stand in the counter affidavit is that there is paucity of fund and further that the service book of the petitioner cannot be located, the Municipal Commissioner who is present in Court submits that he shall have no difficulty in making the payment after getting an undertaking from the petitioner that if in future it is found that excess payment has been made to him, he shall refund the same in accordance with law.

Having considered the aforesaid position and the fair stand taken by the Municipal Commissioner, the writ petition stands disposed off with a direction that the dues of the petitioner be paid to him within two weeks, as has been agreed to by the Municipal Commissioner.

(Ahsanuddin Amanullah, J.)

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