

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2899 of 2011

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Thakur Prasad , Son of Late Keshav Prasaad, resident of village- Barkagao,
Police Station- Simari, District- Buxar at present residing at Mohalla-
Kannu Lal Road, P.S.- Jhakkanpur, District- PatnaPetitioner

Versus

1. Sri Raghwendra Pal Singh, the Managing Director, Land
Development Bank, Budha Marg, Patna
2. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar
For the Respondent/s : Mr. Rajesh Prasad Choudhary

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

15 21-09-2015

Heard learned counsel for the petitioner and learned
counsel for the respondent.

The present petitioner is submitting that the opposite party has violated the order dated 04.05.2010, passed in C.W.J.C. No. 7810 of 2010, whereas the Court has directed for filing a representation and in turn directed the Bank to dispose of the same within a period of four months, admitted dues, if any, be paid as per the scheme of the Bank with interest permissible under the rules and if any of the claims or any part thereof is found not payable or would not be paid, the same shall be informed to the petitioner with the reasons thereof. The Bank vide order dated 08.09.2015 disposed of the representation and found that the petitioner is entitled for Rs. 1,32,898/- as per the scheme towards the amount of gratuity and leave encashment, whereas outstanding dues of Bank against the petitioner is 1,55,413/- and after

adjustment, the petitioner has to return the amount of Rs. 22,515/-.

The counsel for the petitioner submits that they have illegally adjusted the amount, wrongly made a calculation showing the higher amount of the bank outstanding against the petitioner.

This Court does not feel inclined to take notice of the illegal calculation at this stage as in terms of the order passed by this Court, Bank has passed a reasoned order stating that the petitioner is not entitled to any amount towards gratuity and leave encashment.

This petition is dismissed with liberty to the petitioner to challenge the order dated 08.09.2015 before the appropriate forum.

This application is dismissed, accordingly.

(Shivaji Pandey, J)

Vats/-

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