

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5540 of 2012

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Ram Prit Mistry Son of Late Krishan Mistry Resident of Village , P.O. and P.S. -
Chandi, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Engineer-in-Chief Public Health & Engineering Department, Govt. of Bihar, Patna
2. Chief Engineer, Public Health Engineering Department, Patna
3. Executive Engineer, Public Health Engineering Division, Hilsa, District- Nalanda
4. The District Provident Fund Officer, Biharsharif, Nalanda
5. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Indrajeet Bhushan, AC to GP-2
For the Accountant General :	:	Mr. J.P. Karn, Sr. Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-07-2016

Nobody appears on behalf of the petitioner.

Learned counsel for the State is present and submits that as per the counter affidavit filed on behalf of respondent no. 3, all admitted post retrial dues have been paid to the petitioner. It is submitted that due to the learned counsel for the petitioner not being located, copy of the said counter affidavit, which was affirmed on 16.12.2015, has not been served on him.

Taking into account the fact that statement has been made on oath by the respondents with regard to payment under various heads of retrial dues to the petitioner and also since nobody

appears on behalf of him today, the Court can only presume that the admitted dues of the petitioner have been paid.

Accordingly, the writ petition stands disposed off.

However, liberty is given to the petitioner that, in case anything further remains to be paid which has not been done, he shall file a representation before the respondent no. 3, along with a copy of this order within two months from today. If such a representation is filed, the respondent no. 3 shall look into the matter and pass a speaking order. If any further payment is required to be made pursuant to the said representation, the same shall be paid within four weeks from the date of passing of the said order.

(Ahsanuddin Amanullah, J)

P. Kumar

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