

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.188 of 1999

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Suresh Kumar Thakur son of Shri Ajab Lal Thakur, R/O Village and P.O.,
Manipura via Jajpur, P.S. Bangra, Distt-Samastipur

.... Petitioner/s

Versus

1. Bihar State Road Transport Corporation, Parivahan Bhavan, Birchand Patel Path, through its Managing Director.
2. Sri R.R. Prasad, Managing Director, Bihar State Road Transport Corporation, Parivahan Bhavan, Birchand Patel Path, Patna.
3. Shri Gonu Ram, Chief Accounts Officer, Bihar State Road Transport Corporation, Parivahan Bhavan, Birchand Patel Path, Patna
4. The Chief of Administration, Bihar State Road Transport Corporation, Parivahan Bhavan, Birchand Patel Path, Patna.
5. The Special Officer, Bihar State Road Transport Corporation, Parivahan Bhavan, Birchand Patel Path, Patna.
6. The Divisional Manager, Bihar State Road Transport Corporation, Parivahan Bhavan, Birchand Patel Path, Patna.
7. The State of Bihar.....

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Narayan Parbat, Sr Advocate
Mr. Kinkar Kumar, Appellant

For the Respondent/s : Mr. P.K.Verma, Sr. Advocate
Mr. Suman Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

9 15-09-2016 Learned counsel Mr. Suman Kumar Jha has produced

a cheque bearing no. 670961 dated 08.09.2016 of Rs. 50/- which,

the office will hand over to the learned counsel for the petitioner

whenever so approached.

Learned counsel for the petitioner has submitted that

in terms of Annexure-A, the ratio of gratuity to be paid to the

petitioner in proportionate way, at least could have been identified

which, has been negatived in the background of the fact that

petitioner was absorbed by the State.

Learned counsel representing the Opposite Party has submitted that the aforesaid issue could not be adjudicated under present petition because for that purpose, the service record of the petitioner is to be seen to visualize whether the period having spent at the establishment of the Opposite Party has been added in the service length of the petitioner and further, payment of gratuity in terms thereof, has been made to the petitioner after his retirement.

Regard being had to the fact and circumstances of the case, keeping the interest of the petitioner immune on that very score, the instant petition has lost its utility whereupon, is dropped.

(Aditya Kumar Trivedi, J)

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