

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16674 of 2015

Uday Kant Jha son of late Subodh Jha resident of village Manikchowk, P.S. Runnisaidpur, District - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Anugrah Narayan Sinha Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna.
4. The Board of Control through the Chairman Anugrah Narayan Sinha, Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna.
5. The Registrar, Anugrah Narayan Sinha, Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna.
6. The Director, Anugrah Narayan Sinha, Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna.

.... Respondents

Appearance:

For the Petitioner : Mr. Kripa Nand Jha, Advocate.
For the State : Mr. Anshuman Singh, Advocate.
For A.N.S. Institute : Mr. Piyush Lall, Advocate.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 06-05-2016

As prayed for, learned counsel for the petitioner is permitted to implead the Director, Anugrah Narayan Sinha, Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna as respondent no. 6.

The petitioner was working as assistant in Anugrah Narayan Sinha, Institute of Social Studies and was suspended on 28.10.2013 vide Annexure-4 and the same continued till 25.05.2015. On 25.05.2015, the suspension order was revoked. The petitioner was informed vide Annexure-1 dated 08.04.2015 that he would be retiring on 31.05.2015 after attaining the age of superannuation. The petitioner retired on the aforesaid date. It is stated that

none of the post retiral dues and the dues with respect to the salary for the period during the petitioner had remained suspended after deducting the subsistence allowance have been paid till date, although several representations have been filed by the petitioner, which has been appended as Annexure-10 series.

Accordingly, this writ application is being disposed of granting liberty to the petitioner to once again approach to respondent no. 6 i.e. The Director, Anugrah Narayan Sinha, Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna by filing a representation with respect to his claims and grievance along with a copy of this order. If such representation is filed, let the respondent no. 6 i.e. The Director, Anugrah Narayan Sinha, Institute of Social Studies, West Gandhi Maidan, P.S. Gandhi Maidan, Patna take a decision in accordance with law upon the grievance and claims of the petitioner expeditiously preferably within a period of 3 months from the date of filing of such representation. If in case the petitioner's claim finds favour, immediate steps for payment of admissible dues should be taken. However, if the petitioner's claim does not find favour with the respondent no. 6, then a reasoned order would be required to be passed and communicated to the petitioner.

(Dr. Ravi Ranjan, J)

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