

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18089 of 2015

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Kameshwar Prasad, S/o Late Nathun Mahto, Resident of Village- Salehpur, P.S. Telhada, District- Nalanda, at present residing at Savitri Sadan, Sector- F, Shivaji Chowk (West), Ram Krishna Nagar, P.O. New Jaganpura, P.S. Ram Krishna Nagar, Patna, District- Patna and now retired from the post of Stenographer (P.A) of Bihar State Warehousing Corporation, B-2, 1st Floor, Mauryalok Complex, Patna-1.

.... Petitioner

Versus

1. The Bihar State Warehousing Corporation, B-2, 1st Floor, Mauryalok Complex, Patna-1 (Bihar) through its Managing Director.
2. The Managing Director, Bihar State Warehousing Corporation, B-2, 1st Floor, Mauryalok Complex, Patna-1, (Bihar).
3. The Life Insurance Corporation of India, (Pension and Group Gratuity Scheme), Fraser Road, Patna through its Branch Manager.
4. The Branch Manager, Life Insurance Corporation of India, (Pension and Group Gratuity Scheme), Fraser Road, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bishnu Kant Dubey, Advocate
For the Respondent no. 1 & 2 : Mr. M.K. Rai, Advocate
For the Respondent no. 3 & 4 : Mr. Rajeev Ranjan, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 10-05-2016

Heard parties.

The grievance of the petitioner is that his gratuity has not been enhanced as per its revision upto the maximum of Rs. 10 lacs though with respect to other employees that has already been implemented and paid but the petitioner has been paid only Rs. 3.5 lacs as per the old provision. He further submits that there has already been 6th Pay Revision. The benefit of that salary has been revised accordingly but other retiral dues have not been revised, though, in

case of other employees as stated in paragraph no. 6 and 13, the same has already been done.

Mr. Rajiv Ranjan Prasad, learned counsel appearing for Life Insurance Corporation of India submits that group insurance amount is not dependent upon the salary as the Contributory Provident Fund etc. has to be paid as per sum insured under the Policy.

Be that as it may, this Court would be inclined to direct the respondent no. 2 Managing Director, Bihar State Warehousing Corporation to look into the grievance of the petitioner and take a decision in accordance with law and admissible amount, if any, has not been payable to the petitioner then steps should be taken for its payment after necessary revision etc. within a period of three months from the date of receipt/ production of a copy of this order. If it is found that petitioner's claim against any head is not admissible then a reasoned order would be required to be passed by the concerned authority.

(Dr. Ravi Ranjan, J.)

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