

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13824 of 2014

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Ram Lakhan Jha son of Late Baleshwar Jha, resident of Village- Mana Math, P.S. Hasanpur, P.O.- Nayanagar, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Samastipur
 2. The Collector, Samastipur at Samastipur
 3. The Block Development Officer, Shivajee Nagar, P.O.- Shivajee Nagar, P.S.- Shivajee Nagar, Distt- Samastipur
 4. The Accountant General, Bihar, Patna
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr.Uma Shankar Singh, Advocate
Mr. Krishna Prasad Singh, Advocate

For the Respondent Nos.1 to 3: Mr. Dhurjati Kr Prasad, GP 7

For the Respondent no.4 : Mr.Ranjan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 10-05-2016

Heard the parties.

2. The petitioner, who claims to have superannuated from service on 02.02.2011 from the post of Panchayat Sevak, has filed the present writ petition under Article 226 of the Constitution of India for grant of the reliefs as enumerated in paragraph 1 of the writ petition.

3. Though, the present writ petition was filed way back on 11.08.2014, after service of its copy upon the learned counsel appearing on behalf of the respondents, but till date, no counter affidavit has been filed on their behalf.

4. In view of nature of grievances/claims raised on behalf of the petitioner in the present writ petition and in view of the fact that no counter affidavit has been filed on behalf of the respondents till date, this Court is of the opinion that in stead of keeping the matter pending before this Court, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before the Collector, Samastipur,

respondent no.2, with all supporting documents raising all the pleas which have been raised in the present writ petition. It is ordered accordingly.

5. If such a fresh comprehensive representation is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the Collector, Samastipur, either himself or any other competent authority, shall be obliged to consider and decide the claims of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the writ petitioner, at an early date preferably within a period of two months from the date of filing of such comprehensive representation by the petitioner.

6. If on consideration of the materials and after hearing the parties, the competent authority of the respondent comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then consequential orders for grant of such admissible claims shall also be issued and lawful dues of the petitioner shall be paid without any unnecessary further delay.

7. It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and this is left to be decided by the respondent competent authority strictly in accordance with law.

8. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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