

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17477 of 2014

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Shyam Bihari Prasad son of Sri Ram Kishun Prasad, resident of village-
Rajapur, P.S.- Goh, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources
Department, Sinchai Bhawan, Patna
2. The Chief Engineer, Water Resources Department, Dehri (Rohtas)
3. The Superintending Engineer, Sone Canal Modernization Circle, Dehri
4. The Executive Engineer, Sone Barrage Division, Indrapuri (Rohtas)
5. The Executive Engineer, Sone Canal Division, Vikramganj
6. The Superintending Engineer, Sone Circle- Ara (Bhojpur)
7. The District Provident Fund Officer- Rohtas (Sasaram)
8. The Accountant General, Bihar, Birchand Patel Path, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vishwanath Ram
Mr. Ajay Kumar

For the Respondent No.1 to 7: Mr. Manoj Kumar Sinha, AC to SC-30

For the Respondent No. 8 : Mr. Kumar Priya Ranjan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-01-2016 Heard the parties.

The petitioner, who has superannuated from service on 31.10.2013 from the post of Amin, has filed the present writ petition under Article 226 of the Constitution of India, raising a grievance that despite his superannuation his all retiral dues, as indicated in paragraph-1 of the writ petition, have not been paid.

Learned counsel appearing on behalf of the petitioner submits that during the pendency of this writ petition, major part of the retiral dues of the petitioner has already been paid to him. However, some of the valid grievances are yet to be redressed.

Learned AC to SC-30 appearing on behalf of the respondent no. 1 to 7 as also the learned counsel appearing on behalf of the respondent no.8, by referring to the averments made in the separate sets of the counter-affidavit, submits that all the

lawful retiral dues of the petitioner have already been paid. However, it is further submitted that if some other valid claim is still surviving and if the petitioner files a representation with regard to the remaining grievances with all supporting documents, then the same shall be considered and decided in accordance with law by the competent authority.

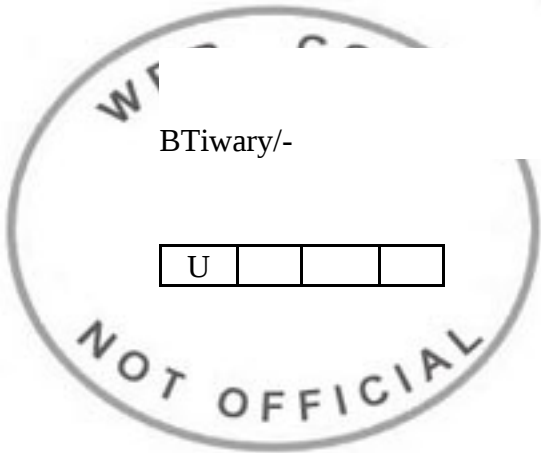
In view of the aforesaid submissions made by the learned counsel appearing on behalf of the parties, the petitioner is directed to file a comprehensive representation before the respondent no. 2- the Chief Engineer, Water Resources Department, Dehri (Rohtas) with all supporting documents raising all the pleas with respect to his surviving claims regarding retiral dues.

If such a 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 respondent no. 2 either himself or any other competent authority of the respondent State, as per the directions of the respondent no.2, shall be obliged to consider and decide the valid surviving claim of the petitioner by a reasoned and speaking order, after giving an opportunity of personal hearing to him, at an early date preferably within a period of three months from the date of filing of such representation.

If on consideration of materials and after giving an opportunity of personal hearing to the petitioner, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

The writ petition stands finally disposed of with the

observations and directions made above.



(Birendra Prasad Verma, J)