

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6790 of 2015

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1. Akhilesh Kumar Sinha son of Late Pandey Abdhesh Kumar Residence of Mohalla P.R.D.A. Flat No. 101 Block No. II/93 P.I.T. Coloney Kankarbag Patna - 800020.

.... Petitioner/s

Versus

1. The State of Bihar , through the Secretary Urban Development Department , Bihar, Patna
2. The Commissioner Cum Chief Executive Officer Mourya Lok Complex, Patna Nagar Nigam Karyalaya, Patna-800001.
3. The Executive Officer Bankeepur Anchal, Rajendra Nagar under Patna Municipal Corporation.
4. The Account Officer Patna Nagar Nigam Budh Marg Patna 800001.
5. The Health Officer, Patna Nagar Nigam Budh Marg Patna 800001.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Patna Municipal Corporation : Mr. Ranjeet Kumar Pandey
For the State : Mr. Neela Prasad AC to GP-25.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 10-05-2016 Heard the counsel for the petitioner, Mr. Pandey for the respondent –Patna Municipal Corporation (for short ‘the Corporation’) and the State.

Certain pensionary dues of the petitioner could not be paid which includes payment of the gratuity amount etc. for which the writ petition is filed. In the counter affidavit, it is stated that the petitioner is in receipt of regular pension. The entire amount under the head Provident Fund has been cleared and paid. For remaining dues the Corporation, as per the order passed by the

Municipal Commissioner (Annexure-C), are being paid to the employees in chronological order. The employees who superannuated or died in service until 31.3.2013 have been paid the entire dues. The case of the petitioner shall be paid once it matures for such payment. Mr. Pandey submits that this stand of the Corporation has been appreciated in few writ petitions by this Court wherein the authorities have been directed to pay the dues of the employees in chronological order.

In that view of the matter, no direction for payment of the dues out of turn is passed. However, it will be open to the petitioner to approach the respondents and convince about the special circumstances for payment of at least part of the dues by the respondents. If he does so, I am sure the respondent will bestow consideration over the said application and take appropriate decision in accordance with law.

(Kishore Kumar Mandal, J)

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