

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9210 of 2014

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1. Ras Bihari Sah
2. Satyanarayan Sah both sons of Late Harideo Sah, residents of village
Satlakkha Dihtole P.S. Rahika, Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Road Construction
Department (NH), Govt. of Bihar, Patna
2. The Chief Engineer, National Highways Department, Bihar, Patna
3. The Superintendent Engineer National Highways Division Circle,
Darbhanga
4. The Executive Engineer, National Highways Division Circle,
Darbhanga
5. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha
For the Respondent/s : Mr. Nawal Kishore Singh, SC-2
Mr. Kamlesh Prasad, AC to SC-2

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-02-2016 Heard counsel for the petitioners and Mr. Nawal Kishore
Singh, SC-2 for the State.

A counter affidavit on behalf of respondent nos. 1 to 4
has been filed. .

The father of the petitioners served as Research Assistant
in different wings of the Road Construction Department and
retired on 31.08.2001. After his death in the year 2011, the
present writ application has been filed by the sons for a direction
upon the respondents to pay the employee's retrial dues/benefits
including the GPF, group insurance, leave encashment and

gratuity amount.

In paragraph 13 of the counter affidavit, it is stated that all admissible retrial dues of the employee were sanctioned and paid to him while he was alive. Only the dues in respect of break-in-service of the employee remained to be examined and authorized. That issue has now been resolved. The employee now would be entitled to payment of some more dues for which bill has already been prepared and the petitioners have been requested to produce the succession certificate enabling them to receive the amount.

Having regard to the aforesaid stand taken by the respondents, which has not been disputed by filing a rejoinder, the writ application stands disposed of permitting the petitioners to take steps as per the request of the respondents and produce necessary documents of their entitlement to receive those dues. Upon production of papers/documents/succession certificate, as the case may be, the respondents shall release those dues/amount in favour of the petitioner(s) or the persons entitled to receive the same.

(Kishore Kumar Mandal, J)

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