

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4787 of 2016

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Bindeshwari Sardar, S/o Late Daharni Sardar, resident of village- Charnay,
P.O.- Charnay, P.S.- Chatapur, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna
2. Finance Secretary, Bihar, Patna
3. Accountant General, Bihar, Patna
4. Chairman, S.B.I. Nariman Point, Mumbai
5. Director, Panchayati Raj, Bihar, Patna
6. Director General, Provident Fund, Pant Bhawan, Bihar, Patna
7. Collector, Madhepura
8. District Panchyati Raj Officer, Madhepura
9. District Provident Fund Officer, Madhepura
10. Block Development Officer, Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Mallika Mazumdar, Adv.
For the Respondent nos.1,2&5to10:Mr. Prem Ranjan Kumar, AC to AAG-9
For the Respondent no.3 :Mr.Renu Jha, Adv.
For the Respondent no.4 :Mr.Rakesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-09-2016 Heard the parties.

In view of the nature of the grievances/claims raised on behalf of the petitioner in the present writ petition with respect to the payment of retiral benefits to him, this Court is of the opinion that, instead of keeping the matter pending any longer asking the respondents to file their counter affidavit, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation with all supporting documents before the respondent District Magistrate, Madhepura, raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a fresh comprehensive representation is filed by

the petitioner within a period of one month from today with a certified copy of the present order, then the respondent District Magistrate, Madhepura shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, besides others, if any, at an early date, preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

If on consideration of the materials, the respondent District Magistrate, Madhepura comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

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

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

(Birendra Prasad Verma, J)

Arvind/-

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