

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5828 of 2016

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Janardan Mandal son of Late Chaturi Mandal, resident of village -
Dindayalpur Post Kokanda, P.S. Shahkund, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Engineer-in-Chief, Irrigation Department of Bihar, Patna
2. The Chief Engineer (Mechanical), Water Resources Department, Bihar, Patna
3. The Executive Engineer (Mechanical), Water Resources Department Bihar, Patna
4. The Accountant General, Bihar, Patna
5. Treasury officer, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Pravina Kumari, Advocate

For the Respondent Nos. 1 to 3 and 5: Mr. Shiv Kumar, AC to GA 3

For the Respondent No.4 : Mr. Prabhat Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-09-2016

Heard the parties.

2. The petitioner has filed the present writ petition for the relief(s) enumerated in paragraph 1 of the writ petition.

3. In the present case, a counter affidavit has been filed on behalf of the respondent nos. 1 to 3 on 20th May, 2016, a copy of which was served upon the learned counsel for the petitioner on 18.05.2016. In the counter affidavit filed on behalf of the aforesaid respondents, it has been averred in paragraphs 7 and 8 that all the lawful dues of the petitioner have been paid. It has further been stated that the service book of the petitioner and other documents have been sent to the Accountant General, Bihar, Patna for revision of the post retiral benefits of the petitioner.

4. Though, a copy of the aforesaid counter affidavit was served upon the learned counsel for the petitioner way back on 18.05.2016, but despite passage of almost four months, the

facts stated therein have not been controverted by the petitioner.

5. In above view of the matter and in view of the assertions made in the counter affidavit by the respondents that all the lawful dues have been paid to the petitioner, the present writ petition is dismissed.

6. However, if any valid claim is still surviving and has not been paid to the petitioner, then he shall be at liberty to file a comprehensive representation before the respondent no.3 raising his grievances about non-payment of such dues. If such a comprehensive representation is filed on behalf of the petitioner within a period of one month from today, then the respondent no.3 either himself or any other competent authority of the State shall be obliged to consider and decide the claims of the petitioner in accordance with law by a reasoned and speaking order expeditiously.

(Birendra Prasad Verma, J)

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