

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2926 of 2014

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Sheo Prasad Lal, Son of Late Kedar Nath Lal, Resident of Jamhore, Police Station-
Jamhore, District - Aurangabad

.... Petitioner.

Versus

1. The State of Bihar through Principal Secretary, Urban Development
Department, Government of Bihar, Patna
2. The Collector, Aurangabad
3. The Executive Officer, Nagar Panchayat, Rafiganj, District - Aurangabad
4. The Nagar Panchayat, through its Executive Officer Nagar Panchayat, Rafiganj,
District - Aurangabad
5. The Executive Officer, Nagar Panchayat, Daud Nagar, District - Aurangabad
6. The Nagar Panchayat, Through Its Executive Officer, Nagar Panchayat Daud
Nagar, District - Aurangabad

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar, Advocate

For the Respondent/s : Mr. Raisul Haque, SC-4

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL JUDGMENT

Date: 28-06-2016

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of Nagar Panchayat.

The petitioner superannuated on 31.01.2013, as Head
Clerk-cum-Accountant in the office of Nagar Panchayat, Daud Nagar,
Aurangabad.

The petitioner has already filed a detailed representation
before respondent no.5 for payment of gratuity, earned leave,
provident fund and arrears of difference of salary.

A counter affidavit has been filed on behalf of respondent
nos. 5 and 6. They submit that the petitioner has already received

payment of gratuity of Rs.5,29,289/-. Besides this, he has also been paid his earned leave encashment totaling Rs. 3,20,778/-, the difference of pay amounting to Rs. 1,38,576/-.

Learned counsel next submits that rests of the unpaid dues are being examined for payment.

Having regard to the facts and circumstances and as already counter affidavit has been filed, this Court does not propose to keep the writ application pending.

The petitioner has already filed his detailed representation vide Annexure-11 to the supplementary affidavit. The respondents would process the same within a period of three months and would make the payment of the admitted dues.

So far as non-payment of salary is concerned, the petitioner would file a separate representation for payment of the same, which too would be duly considered by the appropriate authority.

With the aforesaid observation, the writ application stands disposed of.

(Samarendra Pratap Singh, J.)

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