

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.297 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 2763 of 2012**

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Bhagwat Prasad Singh S/O Late Yadunandan Prasad R/O Village and Post Bari Chhariyari, P.S. Tharthari, Distt. Nalanda A/P Station Road Hilsa, P.S. Hilsa, Dist. Nalanda

.... Petitioner /Appellant/s

Versus

1. Area Development Commissioner- Cum- Chairman, Sone Command Area Development Agency, Birchand Patel Path, Patna
2. The Secretary, Sone Command Area Development Agency, Birchand Patel Path, Patna
3. Assistant Director, Sone Command Area Development Agency, Arrah
4. Executive Engineer, Sone Command Area Development Agency, Arrah

.... Respondents /Respondent

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Appearance :

For the Appellant/s : Mr. Rewati Kant Raman, Advocate
For the SCADA : Mr. Naresh Dikshit, Advocate
For the State : Mr. Kamal Kishore Sinha, AC to AAG II

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 15-07-2016

The challenge in the present Letters Patent Appeal is to an order dated 13th March, 2013 passed by the learned Single Bench in CWJC No. 2763 of 2012, whereby the writ petition was found to be suffering from delay and laches.

The claim of the writ petitioner was in respect of non-payment of salary and certain allowances. However, after filing of the writ application, arrears of salary have been paid vide Cheque No. 0116923 dated 10.01.2012. The subsisting grievance of the appellant is regarding non-payment of House Rent Allowance (HRA) in its

entirety and some Provident Fund dues. It is alleged that HRA @ 5% has been paid, whereas the appellant is entitled to HRA @ 7 ½ % for certain months of the year 2001-2002. Some Provident Fund dues have also not been paid.

After having heard learned counsel for the parties we find that if the appellant submits a representation in respect of his grievance regarding non-payment of HRA and Provident Fund dues, the respondents shall consider the same and redress the grievance in accordance with law.

Consequently, we dispose of the present Letters Patent Appeal with liberty to the appellant to submit a representation giving details of his grievance. If such representation is submitted within one month from today, the respondents shall consider the same and pass an appropriate order within three months from the date of receipt of such representation.

With the above direction this appeal stands disposed of.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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CAV DATE	N.A.
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