IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4335 of 2013
In
Civil Writ Jurisdiction Case No. 1427 of 2009

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1. Mrinal Kanti Nandi S/O Girindra Mohan Nandi Resident Of Mohalla-Kathalwari, P.S Lnm University, Campus, District- Darbhanga.

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Department Of Education, Bihar, Patna.
2. Sri Amarjeet Sinha, Principal Secetary, Department Of Education Government Of Bihar, Patna.
3. Sri Raj Mukul, Special Director (Secondary Education), Department Of Education Government Of Bihar, Patna.
4. Sri Prabhat Kumar Pankaj, District Programme Officer (Establishment), Darbhanga District Darbhanga.
5. The Accountant General (A & E), Bihar, Patna, Through Sri Ashok Kumar Sah, Senior Account Officer, In The Office Of The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Durga Nand Jha
For the Respondent/s : Mr. Subhash Pd. Singh, G.A. 7
Mr. Shiv Kumar, A.C. to G.A. 7
For the Accountant General : Mr. Ranjan Kumar.

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

5 18-10-2016 Heard learned counsel for the petitioner and learned counsel for the State.

This application has been filed for non compliance of the order dated 12.12.2012 passed in C.W.J.C. No. 1427 of 2009. By the aforesaid order, this Court had disposed of the writ application with a direction to the respondents to ensure that all the remaining admissible post retiral dues are paid to the petitioner after taking into account the pay revision with effect from 01.01.2006.

In the show cause filed by the Opposite Parties it is stated that the entire dues including after the pay revision with effect from 01.01.2006 has been paid to the petitioner.

Learned counsel for the petitioner prays for payment of leave encashment. According to the opposite party no such leave encashment is payable to the petitioner as the government circular being relied upon by the petitioner only pertains to payment of pension, gratuity and G.P.F.

In the aforesaid circumstance, it appears that the order under contempt has been complied with. The contempt application is, accordingly, dismissed.

So far as the claim of the petitioner for payment of leave encashment is concerned, it is left open to the petitioner to raise such issue in an appropriate proceeding.

(Ramesh Kumar Datta, J)

Amin/-

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