

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9260 of 2017

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Parmeshwar Ram son of Late Kunti Ram, resident of village- Private Bus Stand,
Ward No 07, P.O. + P.S.- Madhubani, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Urban Development Housing
Department, Government of Bihar, New Secretariat, Patna.
2. The Nagar Parishad, Madhubani through its Executive Officer.
3. The Executive Officer, Madhubani, Nagar Parishad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Jha, Advocate
For the Nagar Parishad : Mr. Purushottam Jha, Advocate
For the State : Mr. Syed Hussain Majeed, AC to SC-6

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 31-07-2017

The petitioner retired with effect from 31.12.2014 as Safai
Karamchary while being posted in Nagar Parishad, Madhubani.

2. It is submitted by the learned counsel for the petitioner
that the admissible retiral dues have not been paid to the petitioner
despite lapse of three years from the date of his retirement.

3. On the other hand, learned counsel appearing on behalf
of the Nagar Parishad, Madhubani has submitted that regular pension
of the petitioner is being paid and part of the retiral dues have also
been paid to him. He has submitted that due to paucity of fund, the
full payment of retiral dues could not be made to the petitioner so far.

4. I have heard learned counsel for the parties. In my



opinion, paucity of fund cannot be made a ground for denial of payment of retiral dues.

5. In that view of the matter, the writ petition is disposed of with direction to the petitioner to file a detailed representation regarding his claims before the Executive Officer, Nagar Parishad, Madhubani (Respondent No.3) within a period of four weeks from today. In case such a representation is filed, the Executive Officer, Nagar Parishad, Madhubani shall examine the claims of the petitioner and dispose of the same by a reasoned and speaking order within a period of three months. The admissible retiral dues shall also be paid to him within the period of three months stipulated hereinabove. In case any of the claims of the petitioner is rejected, the reasoned order in this regard shall be communicated to the petitioner on his postal address without delay.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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