

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 3112 of 2016

Along with

Interlocutory Application No. 8784 of 2017

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Raneshwar Prasad Singh, Son of Late Amir Singh Shastri, Resident of Village -
Ramnagar, P.S. Gaighat, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Principal Secretary, Department of Health, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Director, Deshi Chikitsa, Government of Bihar, Patna.
6. The Director General, Provident Fund, Patna.
7. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Anisur Rahman, Advocate
For the State	:	Mr. Sunil Kumar, A.C. to G.P. 11
For the Respondent No. 7	:	Mr. Murari Narain Chaudhary and Mr. Vijay Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 22-12-2017

Heard learned counsel for the petitioner; State and Zila
Parishad, Madhubani.

2. Second supplementary counter affidavit has been filed
on behalf of respondent no. 7, in which it has been stated that with
regard to A.C.P., the State Government has not permitted such
benefit to employees of Zila Parishad and accordingly, the same has
not been paid and with regard to difference of salary on account of
benefit of pay revision, it has been stated that the Bihar Rajya Zila



Parishad Karmachari Mahasangh has filed C.W.J.C. No. 9652 of 2017 before this Court, which is pending and depending on the decision of the Court, the Zila Parishad, Madhubani shall also implement the order. Learned counsel for the respondent no. 7 produced a cheque of Rs. 93,405/- in favour of the petitioner which is the dues on account of Provident Fund.

3. A perusal of the cheque indicated that in the words the figure 93 has been mis-spelt in Hindi which probably may lead to non encashment of the cheque. Thus, the cheque produced before the Court has been returned to Mr. Pradeep Kumar Goit, the deponent of the second supplementary counter affidavit filed on behalf of respondent no. 7 today, who was present in Court.

4. Faced with the situation, learned counsel for the respondent no. 7 submitted that a fresh cheque shall be issued in the same amount in favour of the petitioner and shall be delivered to the petitioner at his residence in Muzaffarpur by tomorrow.

5. In view of the aforesaid, the Court is not taking adverse view with regard to the infirmity in the cheque prepared in the name of the petitioner, which otherwise would have indicated a deliberate design on the part of the Zila Parishad, Madhubani to somehow create obstacle in making the rightful and due payment to the petitioner.



6. The writ petition stands disposed off. The petitioner shall be at liberty to raise his grievance with regard to A.C.P. as well as difference of arrears of pay in terms of the recommendation of the 4th, 5th and 6th pay revision, before the appropriate forum, in accordance with law, in a separate proceeding.

7. Interlocutory Application No. 8784 of 2017 stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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