

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1233 of 2013
IN
Civil Writ Jurisdiction Case No. 7384 of 2004**

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1. Managing Director Biscomaun at Biscomaun Bhavan, West Gandhi Maidan, Patna.
2. Chairman, Siscomaun at Biscomaun Bhavan, West Gandhi Maidan, Patna
3. Finance Controller, Biscomaun at Biscomaun Bhavan, West Gandhi Maidan, Patna.

.... Appellants

Versus

1. Ram Baran Prasad S/O Late Ram Kishun Mahton Resident Of South Panchwati Nagar, Near Railway Line, Rajendra Nagar, Patna.
2. State Of Bihar through Chief Secretary, State Of Bihar, Old Secretariat, Building, Patna.

.... Respondents

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Appearance :

For the Appellants : Mr. Ishwari Singh, Advocate
Mr. Rakesh Kumar Jha, Advocate
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 17-03-2017

Respondent No.1, Ram Baran Prasad, is dead. A substitution petition, which is I.A. No. 1209 of 2017, has been filed. The names of legal heirs have been indicated in paragraph 3 of the said Interlocutory Application. The substitution petition is allowed. Let the legal heirs be impleaded as respondents in place of late Ram Baran Prasad.

Today learned counsel for the BISCOMAUN has produced a chart as well as evidence of payment to the widow of late Ram Baran Prasad of the entire dues. Keeping in view the



observations of this Court dated 21.02.2017, the said payment has been made on 01.03.2017. The evidence produced before this Court is placed on record for future reference.

The direction of the learned single Judge to pay interest @ 6%, however, is set aside keeping in view the financial position of the organization and the difficulty they are facing in meeting the required dues and liabilities.

Letters Patent Appeal now stands disposed of in view of the above development.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
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