

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1906 of 2016

In
Civil Writ Jurisdiction Case No.14291 of 2014

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Md. Shamimuddin, S/o Late Alimuddin Retired Section Officer, Bihar State Co-operative Land Development Bank and resident of Mohalla - Sherpur Chowhatta, P.S. - Biharsharif Town, P.O. - Biharsharif, District - Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar through the Secretary, Department of Co-operative Govt. of Bihar, Patna.
2. The Multi State Co-operative Land Development Bank, Budh Marg, Patna.
3. The Managing Director, Bihar State Co-operative Land Development Bank, Budh Marg, Patna.
4. The Regional P.F. Commissioner, Bhavish Nidhi Bhawan, R - Block, Patna.
5. Account Officer (B.O.T.) Bihar State Co-operative Land Development Bank, Budh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mohammed Abu Haidar, Advocate
For the Respondent/s : Mr. Raj Ballav Pd.Yadav-AAG 11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2017

Re.: Interlocutory Application No.7979 of 2016

Delay of 99 days in filing of the Letters Patent Appeal is condoned.

Interlocutory Application stands allowed and disposed of.

Re.: Letters Patent Appeal No. 1906 of 2016

Taking note of the fact that with regard to payment of provident fund and the gratuity, the appellant has statutory remedy of approaching the competent statutory authority under



the payment of Gratuity Act and the Provident Fund Authority is under the Statute, we grant liberty to the appellant to raise the claim before the competent statutory authority and the Statutory authority shall decide the claim of the appellant in accordance with law after hearing all concerned within a period of three months.

As far as leave encashment of the appellant is concerned, the same shall be decided by the competent authority of the Bank within a period of three months.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.11.2017
Transmission Date	

