IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9357 of 2009

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Kailash Prasad, son of Ram Swarup Ram, presently resident of House no.65, P.O. & P.S. Patliputra Coloney, Nehru Nagar, Patna-13

.... Petitioner

Versus

1. The State of Bihar through the Commissioner-cum- Secretary/ Industrial Development Commissioner, Industries Department, Government of Bihar, Vikas Bhawan, New Secretariat, Patna
2. The Director of Industries, New Secretariat, Patna
3. The Chairman, Bihar State Khadi & Village Industries Board, P.O. Bankipore, District- Patna
4. The Chief Executive Officer, Bihar State Khadi & Village- Industries Board, P.O. Bankipore, Patna
5. The Financial Advisor, Bihar State Khadi & Village Industries Board, P.O. Bankipore, Patna
6. The Chief Accounts Officer, Bihar State Khadi & Village Industries Board, P.O. Bankipore, Patna

.... Respondents

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Appearance :
For the Petitioner/s : Mr. Vivek Prasad
For the Respondent/s : Mr.
Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8 24-03-2017 Heard Ms. Runa, learned counsel, who has appeared on behalf of the petitioner on instruction of Sri Vivek Prasad, learned counsel for the petitioner, who has now become a Law Officer and Sri Amitesh Kumar, learned counsel for the Respondent/ Bihar State Khadi & Village Industries Board, P.O. Bankpore, Patna.

This is the third round of litigation by the petitioner claiming refund of Rs.4316/- , which was deducted long back from his gratuity amount. It is admitted fact that the petitioner superannuated long back in the year 1997. After noticing that a sum of Rs.4316/- was recovered from his gratuity amount; the petitioner had earlier filed a writ petition. Though the petitioner superannuated in the year 1997, he filed first writ petition in the year 2000 vide C.W.J.C.No.2788 of 2000, which was disposed of on 22.01.2004. This Court, while disposing of the writ petition in its order dated 22.01.2004 had noticed from the counter affidavit that whatever balance dues were there were already paid to the petitioner. Thereafter, the petitioner again filed another writ petition in the year 2007 vide C.W.J.C.No.192 of 2007, which was disposed of on 02.04.2009 permitting the petitioner to make representation stating his grievance. After the said order, the petitioner filed representation, which was rejected vide Memo No.157 dated 10.06.2009. Though by giving detailed reason, the representation of the petitioner was rejected vide Annexure-7 to the writ petition (order contained in Memo No.157 dated 10.06.2009), in the present writ petition, the petitioner has not assailed the said order and only prayer has been made to direct the Respondents to refund the said amount.

Considering the fact that the order, which was passed pursuant to the last order passed by a Bench of this

Court, has not been assailed in the present writ petition as well as the fact that the petitioner superannuated long back in the year 1997 after such a long time, there is no reason to further examine the matter.

The writ petition stands dismissed.

(Rakesh Kumar, J)

NKS/-

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