

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3603 of 2016

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Babu Lal Sah, Son of Late Lagan Sah, resident of village - Senuwaria, P.O. Misraulia, P.S. Chiraiya, District - East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Public Works Department, Building Construction Department, Bishwasaraiya Bhawan, Bihar, Patna.
3. The Chief Engineer, Dakshni Upbhag, Building Construction Department, Bihar, Patna.
4. The Superintending Engineer, P.W.D. Building Circle, Gaya.
5. The Executive Engineer, P.W.D. Building Division, Gaya.
6. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 15-11-2017

Heard learned counsel for the petitioner; State and
Accountant General.

2. The petitioner has moved the Court seeking payment of retiral dues.

3. Initially, when the writ petition was filed, the authorities were denying payment of retiral dues on the ground that his service was not regularized. However, based on a judgment of this Court, which has been affirmed by the Hon'ble Supreme Court also in the case filed by the petitioner, being C.W.J.C. No. 15670 of 2012, a co-ordinate Bench by order dated 15.09.2017, following those judgments has allowed the writ petition. Thus, as of now, the



service of the petitioner has to be deemed to have been regularized and on that account, he is entitled to payment of all admissible retiral dues.

4. At this juncture, learned counsel for the State does not dispute the fact that after the order passed by the Court, the retiral dues to the petitioner are payable. He submitted that as the order in his favour has recently been passed, the petitioner may file a representation before the appropriate authority.

5. In view thereof, the writ petition stands disposed off with a direction to the respondents no. 4 and 5 to ensure that all admissible retiral dues of the petitioner, in terms of the order of the Court dated 15.09.2017, passed in C.W.J.C. No. 15670 of 2012, are paid to him expeditiously and latest within a period of three months from the date of production of a copy of this order before them. The Accountant General, Bihar shall also ensure that as and when any order is received from the authorities in favour of the petitioner, authority shall be issued without any delay. The petitioner shall also serve a copy of this order on the Accountant General, Bihar (respondent no. 6).

(Ahsanuddin Amanullah, J.)

P. Kumar

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