

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1033 of 2018**

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Aftab Ahmed, son of Late Hafiz Md. Usman, resident of Usmani Cottage,  
Samanpur, Raja Bazar, P.S.- Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Industrial Development Commissioner,  
Government of Bihar, Old Secretariat, Patna.
2. Industrial Development Commissioner, Industries Department, Government  
of Bihar, Patna.
3. The Chairman, Bureau of Public Enterprises, Government of Bihar, Patna.
4. The Commissioner-cum-Secretary, Industries Department, Government of  
Bihar, New Secretariat, Patna.
5. The Managing Director, Bihar State Handloom & Handcrafts Corporation  
Ltd. Udyog Bhawan, East Gandhi Maidan, Patna.
6. The Chief Accounts Officer, Bihar State Handloom & Handcrafts Corporation  
Ltd. Udyog Bhawan, East Gandhi Maidan, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Md. Rahmatullah |
| For the Respondent/s | : | Mr. S.P. Singh- Ga3 |

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      27-11-2018                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

Petitioner retired from the post of Accountant-cum-  
Store Keeper from the office of Bihar State Handloom and  
Handcrafts Corporation Limited with effect from 31.01.2011.  
Petitioner in the present writ application prays for payment of  
all his retiral dues with statutory interest and penal interest from



the date of retirement till date of payment.

Learned counsel for the State has filed counter affidavit both on behalf of the Commissioner-cum-Secretary, Industries Department, Government of Bihar as well as the Managing Director, Bihar State Handloom and Handcrafts Corporation Limited. A counter affidavit has also been filed on behalf of the respondent no. 5-Managing Director, Bihar State Handloom and Handcrafts Corporation Limited stating therein that since the Corporation is under liquidation and a company petition which was initially filed before this court but after initial admission of the company petition once it got dismissed and later on restored and transferred to the National Company Law Tribunal, Kolkata Bench where it is pending. It has been contended by the counsel for the respondent no. 5 that now all assets and liabilities have to be dealt with by the National Company Law Tribunal, Kolkata Bench and the petitioner may also file his representation before the said forum. With regard to the similar matter, this Court in C.W.J.C. No. 3322 of 2017 in the case of Satya Priya Kumar Sinha Vs. The State of Bihar and Ors. has also held the same view.

Accordingly, the writ application stands disposed of with liberty to the petitioner to move National Company Law



Tribunal, Kolkata Bench with regard to his grievances.

**(Nilu Agrawal, J)**

devendra/-

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