

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11421 of 2018

=====

Ishwari Paswan, S/o Late Ram Udit Ram, resident of Village- Shrirampur,
P.O. & P.S. Leshiganj, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Building Construction, Govt. of Bihar, Patna.
2. The Executive Engineer, Department of Building Construction, Building Constructions, District- Nawada.
3. The Assistant Engineer, Building Sub- Division, Nawada, District- Nawada.
4. Umesh Pandit S/o Not known, Junior Engineer, Building Division, Nawada, District- Nawada.
5. The Accountant General, Bihar Birchand Patel Path, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar
For the State : Mr. Krishna Kr. Singh, AC to GP-22
For the Accountant General : Mr. Bindhyachal Rai

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

Date : 10-12-2018

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel appearing on behalf of
the Accountant General.

2. Petitioner retired from the post of Peon on 28.02.2017
and he prays for payment of pension, gratuity, leave encashment
and other post retiral benefits.

3. It has been submitted by the learned counsel for the
petitioner that No Dues Certificate has not been issued by the
respondent Executive Engineer, Building Construction Department
on the ground that he has not deposited the keys of the godown,
which has been asked to be deposited, as such, No Dues



Certificate has not yet been issued. Learned counsel for the petitioner submits that the lock in the godown, is not locked by him and by somebody else and he never stayed in the godown.

4. Considering the facts and submissions of the petitioner, this writ application is disposed of with a liberty to the petitioner to file a fresh representation before the respondent No. 2, the Executive Engineer, Building Construction Department, District- Nawada regarding the said statement also regarding the payment of retiral dues, which will be considered by the respondent No. 2 and disposed of within a period of two months from the date of filing of such representation. If the dues are admissible, the same shall be paid to the petitioner one month thereafter. If certain dues are inadmissible, the same shall be communicated to the petitioner by a speaking order through registered post.

(Nilu Agrawal, J)

Rajesh/Pragya

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.12.2018
Transmission Date	NA

