

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.155 of 2016

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1. Rampatia W/o late Chauhal Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C. ward no. 41
 2. Naginia W/o late Gulab Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C. ward no. 41
 3. Chhote Lal Son of late Moti Lal Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C. ward no. 39
 4. Dharamveer Kumar son of Shama Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-PCC ward no. 70
 5. Mangi Ram son of late Naki Ram Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-PCC ward no. 70
 6. Ram Kishun Son of late Feru Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-PCC ward no. 57
 7. Parmi W/o Feru Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C ward no. 39
 8. Parmi W/o Feru (in lieu of Husband) Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C ward no.39
 9. Kalut son of late Nate Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C ward no.41
 10. Sumitri W/o late Lalbabu Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C ward no.51
 11. Budhani W/o Raghunath Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-B.C ward no.41
 12. Jagdish H/o Laxminia Resident of Ambedkar Colony , Sandalpur, P.s Sultanganj, District Patna-PCC ward no 41(new)
 13. Anil Prasad son of late Ramu Prasad(Mali PCC) Resident of Bundi Bazar, Faisad Ki Maidan , Patna City, Ps. Chauk, District Patna.

.... Petitioners

Versus

1. The State of Bihar through its Principal Secretary, Department of Urban Development, Govt. of Bihar, Patna.
2. The Patna Municipal Corporation through its Municipal Commissioner, Mauryalok P.R.D.A. Patna.
3. The Additional Municipal Commissioner, Patna Municipal Corporation, Patna.
4. The Chief Accounts Officer, Patna Municipal Corporation, Patna.
5. The Respectively Executive Officer of Circle, Patna, Municipal Corporation, Patna.

.... Respondents

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Appearance :

- For the Petitioner/s : Mr. Ramendra Prasad, Adv.
For the Respondent/s : Mr. Kumar Ravish, AC to SC-1
For PMC : Mr. Ranjeet Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 15-01-2018



Heard Mr. Ramendra Prasad, learned counsel for the petitioner, Mr. Kumar Ravish, AC to SC-1 and Mr. Ranjeet Kumar Pandey, learned counsel for the Patna Municipal Corporation and its functionaries.

The writ petition has been filed seeking a direction to the authorities of the Patna Municipal Corporation to pay difference of revised scale for the period 1.4.1997 to 31.10.2004 alongwith differential amount of Dearness Allowance on the said dues for the period 1.7.1991 to 31.10.2004 to the petitioners, who are either the employees themselves or their legal heirs.

When this matter is taken up for consideration it is clearly stated by Mr. Prasad that in so far as petitioners no. 1 to 3 and 5 to 13 are concerned, their dues have already been paid. He further complains that the dues pertaining to petitioner no.4 Dharamveer Kumar, whose both parents were in service of the Corporation, their claim has not yet been discharged.

Responding to the complaint Mr. Pandey, learned counsel appearing for the Corporation, submits that the details relating to the parents of the petitioner no.4 are not available and hence, the delay.

The objection has been responded to by Mr. Prasad to submit that the name of the petitioner no.4 does figure at serial no.88 of the chart so prepared in the Corporation in respect of the dues



outstanding to its employees and is quantified at Rs.65,647/-. It is also submitted by Mr. Prasad that necessary information has been furnished by the petitioner together with indemnity bond.

Having heard learned counsel for the parties and considering the dispute subsisting herein, I deem it proper to dispose of the writ petition affording opportunity to petitioner no.4 to file a comprehensive representation before the respondent Municipal Commissioner, Patna Municipal Corporation giving details of his claims and it goes without saying that any such application filed by petitioner no.4 shall be considered and disposed of in accordance with law by a speaking order by the Municipal Commissioner, Patna Municipal Corporation within a period of three months of its filing.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.01.2018
Transmission Date	NA

