

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1644 of 2017

=====

Digvijay Narain Singh, retired as Assistant from BISCOMAUN, son of Sri Mahendra Prasad Singh, Resident of Village and P.O. Bithauli, Via Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The Managing Director, BISCOMAUN, Patna.
2. The Chairman, BISCOMAUN, Patna.
3. The Regional Officer, BISCOMAUN, Gaya.
4. The District Regional Officer, BISCOMAUN Office, Aurangabad, District- Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ratan Kumar Kumar, Adv.
For the BISCOMAUN : Mr. Vikash Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsels for the petitioner and the Bihar State Co-operative Marketing Union Limited, Patna (commonly known as ‘ the BISCOMAUN’).

The present writ application has been filed for a direction to the respondent authorities for payment of retiral benefits and its arrears to the petitioner. The relief prayed for, as stipulated in paragraph no.1 of the writ application, reads as under :-

“1. That this is an application for issuance of an appropriate writ, order or direction to the Respondents for making payment of different items of retirement benefits dues i.e. previous salary,



G.P.F. Group Insurance, leave encashment, premium of G.S.L.I. Security money, dues of salary Feb, 2015 etc. alongwith 18 % interest and cost of litigation by issuing an appropriate writ or order.”

Learned counsel for the petitioner confines his prayer only to the extent of disposal of the writ application in terms of the order dated 12.05.2016, passed in CWJC No. 9190 of 2014 (Harindra Choudhary Vs. the State of Bihar and Others), which reads as under :-

“On an application being filed by the petitioner with regard to his claims since he is retire of 2008, the same will be considered and the settlement will be made within a reasonable time frame keeping in mind the chronological order, which is maintained.

Writ stands disposed of.”

Learned counsel appearing on behalf of the BISCOMAUN has no objection for disposal of the writ application on the aforesaid terms.

Without expressing any opinion with regard to maintainability of the writ application against BISCOMAUN, in view of the judgment of Special Bench passed in the case of the Organizer Dehri C.D. and C.M. Union Limited Vs. the State of Bihar and Ors. Reported in 2014(1) PLJR 695, which is under challenge in S.L.P. No. 13717 of 2014 before the Hon’ble Supreme Court and the judgment of the Special Bench



has been stayed, the writ application stands disposed of in terms
of the order aforementioned.

(Dinesh Kumar Singh, J)

Ashwini/-

U			
---	--	--	--

