

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17375 of 2014

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Lal Bihari Sahu Son of Late Chamak Lal Sahu Resident of Village-Karua Tola
(Rupali), P.O. & P.S.-Chautham, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Secretary-Cum-Agriculture Production Commissioner, Government of Bihar, New Secretariat, Patna.
3. The Secretary, Department of Finance, Government of Bihar, Patna.
4. The Deputy Secretary, Personal Claim Redression Cell, Department of Finance, Government of Bihar, Patna.
5. The Deputy Secretary, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
6. The Director, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
7. The Collector, Saharsa, District-Saharsa.
8. The Project Extension Officer, Sone Barsa, District-Saharsa.
9. The Accountant General of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. M. Ehtesham, Advocate
For the A.G. : Mr. Jitendra Kumar Roy, Advocate
For the State : Mr. Arvind Kumar, AC to SC 14

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 17-07-2018

Heard learned counsel for the petitioner and the respondent State.

2. The entitlement of the petitioner to higher scale being admitted in the earlier proceedings arising out of C.W.J.C. No. 9663 of 2007, the writ petition was disposed off permitting the petitioner to approach the Agriculture Production Commissioner, Bihar, Patna for payment of the dues amount under Annexure 2 dated 15.05.2013.

3. The petitioner after disposal of his earlier writ petition on 18.04.2012 has approached the Director, Agriculture but till date



petitioner's dues have not been paid. In spite of dues being admitted as recorded in the earlier order passed in C.W.J.C. No. 9663 of 2007 and in spite of submission of representation, last five years have not been enough for the respondents to process the admitted dues to the petitioner.

4. In the instant proceedings also stand has been taken in the counter affidavit that grievance of the petitioner is being looked into at the level of Director of Agriculture. Such inaction on the part of the respondents in spite of the benefit being admitted and recorded in order dated 18.04.2012 passed in C.W.J.C. No. 9663 of 2007 has compelled the petitioner to approach this Court.

5. This Court therefore, directs that the respondents should pay the dues which are admitted in order dated 18.04.2012.

6. The respondent no. 2 would be obliged to pay the admitted dues of the petitioner in light of the benefit having been admitted in the earlier writ proceedings within a period of four weeks from the date of receipt/production of a copy of this order.

7. It is made clear that if the dues admitted are not paid within a period of four weeks from the date of receipt/production of a copy of this order, the petitioner would be entitled to interest at the rate of 8 percent on the amounts found due to the petitioner from the date of filing of the instant writ petition till date of payment.

8. The writ petition is disposed off.

9. After sanction of admissible amount, the respondent Accountant General would be obliged to issue the authority for payment of the dues within a period of four weeks thereafter.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

