

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.430 of 2018

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Shree Bhagwan Roy, aged about 64 years, son of Late Ram Naresh Roy,
resident of Village- Mishri Chak, Police Station- Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Agriculture Department, Govt. of Bihar, Patna.
4. The Under Secretary, Agriculture Department, Govt. of Bihar, Patna.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amit Kumar, Advocate
For the Respondent/s	:	Mr. Jai Prakash Sharma, AC to GP-21
For the Accoduntant General	:	Mr. Namrata Mishra, Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-12-2018 Heard learned counsel for the petitioner, learned
counsel for the State as well as learned counsel appearing on
behalf of the Accountant General, Bihar, Patna.

The petitioner retired from the post of District
Agriculture Officer, Buxar on 30.09.2014. In the present writ
application, the petitioner prays for admissible interest upon the
amount of leave encashment on account of delayed payment,
which was sanctioned and that all other retiral dues have been
paid to the petitioner after a delay of three years i.e. on
07.09.2017.

Learned counsel for the State however, has filed a
counter affidavit stating therein that all retiral dues have been



paid to the petitioner including leave encashment has been paid to the petitioner. A Vigilance case is pending against the petitioner in which the allegation is that that he was caught taking illegal gratification just a month before his retirement and Vigilance case is still pending. Petitioner has received all admissible retiral dues and prays for interest on delayed payment of leave encashment.

Taking into account the totality of circumstance this writ application has no merit and it is accordingly, dismissed.

(Nilu Agrawal, J)

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