

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17304 of 2017

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Santosh Kumar Sinha son of Late Satya Narain Prasad resident of village -
Barahan Gopal, P.S. - Siwan Muffasil, District - Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary-cum-Commissioner, Environment and Forest Department, Patna, Bihar
2. The Chief Conservator of Forest-Cum-Managing Director, Bihar State Forest Development Corporation, Ltd, Officers Flat No.K-5 and 6, New Punaichak, Patna-23
3. General Manager, Minor Forest Produce Project Circle, Patna-cum-Incharge of North Bihar Circle, Forest Development Corporation Ltd, Officers Flat No.K-5 and 6, New Punaichak, Patna-23
4. Bihar State Forest Development Corporation Ltd., Officers Flat No. K - 5 and 6, New Punaichak, Patna-23.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Uma Shankar Verma, Advocate Mr. Binod Kumar Mishra
For the State	:	Mr.Sudish Kumar, AC to PAAG-2
For the Corporation	:	Mr. R.K.Shukla, Advocate.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-01-2019 Heard the learned counsel for the petitioner, learned counsel appearing on behalf of the State and learned counsel appearing on behalf of the Bihar State Forest Development Corporation Limited (hereinafter referred as 'the Corporation').

Petitioner retired from the Corporation on 31.01.2016 from Patna Circle. He claims his leave encashment for 300 days to the tune of Rs.4,92,940/- which he has not received.

A counter affidavit has been filed by the Corporation on behalf of the respondent nos.2 to 4 wherein at para-22, it has been stated that a revised office order bearing no.18 and memo no.186 dated 21.09.2017 has been issued for payment of Rs.4,92, 940/- for leave encashment but due to non-availability



of fund, the same could not be paid and as soon as the fund is received, payment could be done immediately.

Considering the nature of the claim made by the petitioner, a direction is issued to the Chief Conservator of Forest-cum-Managing Director, Bihar State Forest Development Corporation Ltd, respondent no.2 to ensure payment of the admitted and calculated leave encashment of the petitioner within a period of four months from the date of receipt/production of a copy of this order.

It is needful to say that the Corporation will forward the demand as contained in Annexure-7 dated 21.09.2017 to the State Government within a period of four weeks from today if not already done. The State Government shall ensure that the amount is sent to the Corporation within eight weeks. The Corporation would then pay the amount to the petitioner within four weeks of having received the same from the State Government.

Writ application is disposed of accordingly.

(Nilu Agrawal, J)

B.Kr./-

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