

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17389 of 2018

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Nawal Kishore Sharma S/o Late Ram Anugrah Singh, R/o Village-Bhairwa,
P.S. Alipur, Distt.-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Transport Department,
Government of Bihar, Patna
2. The Administrator, Bihar State Road Transport Corporation, Pariwahan
Bhawan, Birchand Patel Marg, Patna
3. The Chief Accounts Officer cum Financial Advisor, Bihar State Road
Transport Corporation, Pariwahan Bhawan, Birchand Patel Marg, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Verma, Advocate
For the State	:	Mrs. Rashmi Bharti, AC to SC-21
For the BSRTC	:	Mrs. Jahan Ara, Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

Date : 08-05-2019

Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel appearing on behalf of Bihar
State Road Transport Corporation, Patna (hereinafter referred to as
the 'Corporation').

2. Petitioner, who retired on 31.10.2016 from the post of
Conductor at Gaya Depot, Gaya Division of the Corporation, prays
for payment of remaining post retiral dues, such as, gratuity,
unutilised leave and interest on delayed payment of CPF, as held
by the Division Bench in L.P.A. No. 1625 of 2013 dated
16.04.2014 i.e. interest calculated till the last completed month of



actual payment, which has been affirmed by the Apex Court in Special Leave to Appeal (C) No. 14559 of 2014 dated 07.07.2014.

3. A counter affidavit has been filed on behalf of the Corporation wherein it has been stated that a sum of Rs. 318.24 crores has been received from the Government of Bihar for payment of retiral benefits to the employees of the Corporation who retired up to 31.03.2015. It is also stated that the Corporation has written to the Transport Department, Government of Bihar to get approval for payment of retiral dues to the employees of the Corporation who have retired after 31.03.2015 from the residue amount of Rs. 318.24 crores. It is also stated in the said counter affidavit that CPF of Rs. 6,01,819=00 has already been transferred to the account of the petitioner by RTGS on 23.05.2017 and further an amount of Rs. 56,242=00 has again been paid to the petitioner through RTGS on 23.07.2018.

4. Considering the claim of the petitioner, the petitioner is directed to file a detailed representation before the Administrator of the Corporation regarding his remaining claims under distinct head, which will be disposed of within a period of three months. Any admissible amount due to the petitioner would be paid within one month thereafter. If certain amounts are inadmissible, the same



shall be communicated to the petitioner under different heads by a speaking order sent through registered post.

5. Writ application stands disposed of accordingly.

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.05.2019
Transmission Date	NA

