

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3275 of 2016

Daya Shankar Singh Son of late Krishna Ballabh Singh, resident of Shankar Niwas, North of Panchwati Chowk, Gangjala, Saharsa, P.S.- Saharsa, District Saharsa. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Industries, Govt of Bihar Patna.
2. The Joint Secretary, Industries Department, Govt. of Bihar, Patna.
3. The Chairman, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, Patna.
4. The Managing Director, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maida
5. The Secretary, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, Patna
6. The Executive Director, Bihar Industrial Area Development Authority, Head Office, Patna.
7. The Executive Director, Bihar Industrial Area Development Authority, Regional Office, Muzaffarpur.
8. The Executive Director, Bihar Industrial Area Development Authority, Regional Office, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prashant Sinha, Advocate
For the BIADA	:	Mr. Yashraj Bardhan, Advocate
For the State	:	Mr.Anwar Karim, AC to GP 10

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 18-04-2019

Mr. Sinha, learned counsel appearing for the petitioner submits that due arrears of salary arising out of fixation, delayed grant of annual increments and DA are pending before the authorities for the services rendered by the petitioner. He has also raised a claim for grant of commuted leave for the period 01.12.2008 till 29.04.2009. Earned leave for 01.07.2008 to 04.07.2008 and 13.07.2008 to 15.07.2008 has also been



claimed in the instant proceedings. Casual leave for a very brief period i.e. 22.09.2009 to 24.09.2009 has also been claimed in the instant proceedings. He draws attention of the Court towards the fact that all these claims are admissible to the petitioner from the respondent authority.

Without going into the issue this Court would observe that the representations for grant of benefits under the different heads claimed in the instant writ petition are pending before the authorities since long. It is submitted that the various representations made by the petitioner have not been responded to by the authorities and in the meanwhile petitioner has retired on 30.06.2010. The issue is to be examined with reference to the records by the authority as to what extent the dues under the various heads claimed by the petitioner have been paid and what remains.

In the circumstances, this Court would consider it appropriate that for such petty claims the petitioner should make a comprehensive representation before the respondent no. 4 raising all the claims at one place who has to take the decision in this regard and make payment of due and admissible amounts. Let a representation be made within four weeks. In the event comprehensive representation is made, the respondent no.



4 would be obliged to consider the same and pay the due and admissible amounts under the various heads within a period of eight weeks from the date of receipt/production of the representation along with copy of this order. Any amounts which are not found admissible may be rejected by the authorities but only by a reasoned and speaking order showing that the petitioner is legally not entitled for such amount.

Writ petition stands disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

