

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12740 of 2017**

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M/s Sunshine Preparatory / High School, Sherpur, Muzaffarpur through its Principal, situated at Sherpur Narayanpur Anant, P.O. M.I.C. Bela, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Labour Resources Department, Bihar at Patna.
2. The Labour Commissioner-cum-Appellate Authority, Niyogan Bhawan, Bailey Road, 3rd Floor, B-Block, Patna.
3. The Deputy Labour Commissioner-cum-Controlling Authority, appointed under payment of Gratuity Act, 1972 at Muzaffarpur, Tirhut Division at Muzaffarpur.
4. Sudhir Kumar Singh, Son of Late Harish Chandra Prasad Singh, Resident of Laxmi Colony, Laprosy Mission Chowk, P.O. R.K. Ashram Bela, Muzaffarpur.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                                 |
|----------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s | : | Dr. Umashankar Prasad, Sr. Adv.<br>Mr. Kamala Kant Tiwary, Adv. |
| For the Resp. No.4   | : | Smt. Archana Shahi, Adv.                                        |
| For the State        | : | Mr. Nandan Nayak, AC to AAG10                                   |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL JUDGMENT**

**Date : 10-07-2019**

Heard learned counsel for the petitioner and counsel for the State as also counsel for the respondent no.4.

The parties have settled the dispute outside Court and have filed a compromise petition vide I.A. No. 1 of 1919 and, in the petition, it has been mentioned that the agreement has been arrived to pay Rs. 3,69,800/- by way of full and final settlement of all disputes.

This Court called the respondent no.4, namely, Sudhir Kumar Singh and asked as to whether he has entered into the



compromise without any or coercion, in turn, replied that he has entered into the settlement voluntarily but, he has raised a doubt about the genuineness of the instrument which was shown to him and prima facie he is satisfied with the instrument in the nature of bank draft. The same is being handed over to the counsel for Sudhir Kumar Singh and, in turn, the same will be handed over to him.

If the instrument is found to be not genuine, in that circumstances, the respondent no.4 will be at liberty to file a short affidavit giving details of the fact and the case will be listed under the heading "To be Mentioned" for considering the grievance of the respondent no.4. For the present, the dispute has been settled.

In that view of the matter, it is not required to proceed further. Accordingly, this writ application is disposed of as being settled.

Let the original records of the proceeding be returned to the counsel for the State who will remit the same at proper place.

**(Shivaji Pandey, J)**

rishi/-

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| AFR/NAFR          | NAFR       |
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