

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 897 of 2019

Binda Prasad Singh, Gender-Male, aged about 67 years, Son of Late Raj Narayan Singh, Resident of Village- Trilokwa, P.S. Kesaria, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Registrar, Co-operative Department, Patna.
2. The Managing Director, the Motihari Central Co-operative Bank Limited, Motihari.
3. The Chairman, The Motihari Central Co-operative Bank Limited, Motihari.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Syed Iqbal Ahmad, SC-20 with Mahtab Alam, AC to SC-20
For Central Cooperative Bank	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-12-2019 This writ application has been filed by the petitioner
for following reliefs:

“(I) To command and direct the respondent to pay the amount of unutilised leave for 60 days with up-to-date interest as well as the amount of interest of the earned leave of 240 days paid earlier which is due and has not been paid by the Respondent-Authorities.

(II) To further command and direct the respondent to pay statutory as well as panel interest on the amount of gratuity as per the payment of Gratuity Act, 1972 from 01.08.2011 till the date of payment which has not been paid by the Respondent and the same is pending as dues.”

However, at the outset, learned State counsel as well
as learned counsel for the respondent no. 2 & 3/Motihari



Central Cooperative Bank Ltd. raise preliminary objection on the point of maintainability of the writ petition, in view of law laid down by this Court (Special Bench) in a case reported in **2014 (1) PLJR 695** (*The Organizer, Dehri C.D. & C.M. Union Limited vs. The State of Bihar & Ors.*).

After noticing the above fact, learned counsel for the petitioner makes a prayer for disposal of the present writ petition granting liberty to the petitioner to move before the competent authority i.e. Registrar, Cooperative Department, Bihar for the relief sought for in the present writ application.

Accordingly, as prayed by learned counsel for the petitioner, the writ application stands disposed of with liberty, as indicated above.

(Prabhat Kumar Singh, J.)

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