

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25363 of 2019

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Krishna Kumar Nathani, aged about 38 years, Male, Son of Late Binod Kumar Nathani, Resident of Mohalla- Purani Bazar, Shukla Road, Shani Mandir, P.O.- Ramna, P.S. Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Chairman, Uttar Bihar Gramin Bank, Kalambagh Road, Muzaffarpur.
2. The Branch Manager, Uttar Bihar Gramin Bank, Employee Provident Fund Office, Muzaffarpur.
3. The General Manager, Uttar Bihar Gramin Bank, Head Office, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Dr. Mahtab Ahmad with Mr. Prabhakar Nath Rai, Advocates
For the Bank	:	Mr. Prabhakar Jha with Mr. Amitesh Jha, Advocates

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 19-12-2019

Heard learned counsel for the petitioner and learned counsel for the Uttar Bihar Gramin Bank (hereinafter referred to as the 'Bank').

2. Learned counsel for the petitioner is permitted to implead the General Manager, Uttar Bihar Gramin Bank, Head Office, Muzaffarpur as respondent no. 3. Let Necessary correction be made in the cause title by learned counsel for the petitioner in the course of the day.

3. The petitioner has moved the Court for the following relief:



“ That this application is being filed for issuance of appropriate writ, order or orders and direction to the respondent for payment of service and death benefit to the petitioner’s father who has been died on 26.10.2010 on a Branch Manager of Uttar Bihar Gramin bank at Jhanjharpur, Madhubani. That the application is being also filed for the grant of ex-gracia amount and make compassable appointment to the petitioner as his father had been died during the service period.”

4. Learned counsel for the petitioner submitted that his father had joined the service of the Bank on 10.01.1983 and died in harness on 26.10.2010. It was submitted that despite the petitioner being the only son and having three sisters, no death-cum-retiral benefits have been paid to them.

5. Learned counsel for the Bank submitted that certain documents were required which the petitioner had not submitted due to which the matter is held up. It was submitted that the same has already been indicated by the authorities in their communication to the petitioner dated 24.05.2016, copy of which has been made Annexure-4 to the writ application. Learned counsel submitted that the money has already been sanctioned. It was submitted that upon the petitioner completing the formalities, the admitted due amount would be released in favour of the rightful claimants.



6. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the petitioner to appear before the respondent no. 3 within two weeks from today, along with a copy of this order. Upon doing so, the respondent no. 3 shall get the matter examined and shall communicate it to the petitioner with regard to any remaining formalities for payment of the admitted death-cum-retiral dues of his late father. The petitioner shall comply with the same within two weeks of such intimation being given to him. Upon doing so, the authorities shall process the matter and ensure that payment of all the admitted dues is made to the rightful claimants, within one month from the date of the petitioner fulfilling all the requirements. If any amount under any head is denied, reasons shall be assigned and communicated to the petitioner. The respondent no. 3 shall ensure that along with the payments, detailed calculation chart of such payment be given to the petitioner within the same period.

7. It goes without saying that the payment shall be made after reconciliation of all outstanding dues, if any, against the late father of the petitioner. However, details of such outstanding dues shall also be communicated to the petitioner.

8. The Court would only indicate that the authorities may also consider payment of ex-gratia in terms of communication



dated 04.06.2012, copy of which is Annexure-3 to the writ petition. However, decision on the same shall be taken by the competent authority, in accordance with law.

(Ahsanuddin Amanullah, J)

Ranjeet/Rahul

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