

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 12325 of 2017

Manjula Devi wife of Late Ram Narayan Jha, Resident of Village and P.O. Bargaon, P.S. Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The Divisional Commissioner, Koshi Division, Saharsa.
4. The District Magistrate, Madhepura-cum- Liquidator, Madhepura Supaul Central Cooperative Bank Ltd. Madhepura, District-Madhepura.
5. The Joint Registrar, Cooperative Societies, Koshi Division, Saharsa-cum-Joint Liquidator, Madhepura Supaul Central Cooperative Bank Ltd.
6. The District Cooperative Officer, Madhepura-cum- Assistant Liquidator, Madhepura Supaul Central Cooperative Bank Ltd, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.Amit Prakash -Ga13

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-05-2020 This writ petition is being heard through video conferencing under the orders of the Hon'ble the Chief Justice.

Heard learned counsel for the parties.

This writ petition has been filed for commanding the respondents for grant of gratuity, earned leave, security deposit, arrears of salary as well as other admissible dues accrued to the husband of the writ petitioner.

Counter affidavit has been filed on behalf of the respondents No. 4 and 6. In paragraph 9 of the counter affidavit it is stated that “before the order dated 15.12.2004 passed in



aforesaid writ application the bank was put into the liquidation process vide order dated 11.06.2003. In terms to letter dated 04.09.2008 of the Registrar, Cooperative Societies, it was informed that the employees of bank before the liquidation process do not remain the employee of the bank. Therefore, the departmental proceedings could not be proceeded against the petitioner and the employees will be only paid his contribution in the head of G.P.F. and group insurance which is admittedly paid to the petitioner. The petitioner was also entitled to the subsistence allowance of four days which was paid to the petitioner through cheque which is reflected from the letter dated 04.06.2014 of the joint liquidator.” In paragraph 10 of the said counter affidavit it is stated that “the petitioner has been paid his contribution in the head of G.P.F. with interest of an amount of Rs. 4,62,225/- which includes the actual amount of Rs. 2,66,800/- and interest amount of Rs. 1,95,425/- the same was paid through cheque by them and it was accepted by the petitioner. Further following points are worth noting:- Security Deposit:- This amount is payable. Earned Leave:- This is not payable vide letter no. 5412 dated 04.09.2008 of the Registrar, Cooperative Society Bihar, Patna. Learned counsel for the respondents No. 4 to 6 further states that the other remaining



dues, if any, can only be paid to her after liquidation process is over.

In the aforesaid facts and circumstances of the case, the petitioner is granted liberty to file a representation with respect to her remaining dues, if any, to the District Magistrate, Madhepura-cum-liquidator, Madhepura, Supaul Central Cooperative Bank Ltd. Madhepura, District-Madhepura (respondent No. 4). In the event, if such representation is filed, respondent No. 4 would pass appropriate order in accordance with law as early as possible.

The writ petition stands disposed of with aforesaid observations and directions.

(Prabhat Kumar Singh, J)

Sonali/ Shashi/-

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