

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3416 of 2020

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1. Ram Yash Sah S/o Late Yougeshwar Sah R/o Village- Rambhelahi, P.S. Parihar, Distt- Sitamarhi. Superannuated from the post of Junior Electric Engineer, Electric Works Division, B.C.D., Bihar, Muzaffarpur.
 2. Rama Kant Singh S/o Late Gupteshwar Singh R/o Village- Kapasia, P.S. Kandawa, Distt- Chandauli, State of U.P. Superannuated from the post of Electrical Junior Engineer, under Electrical Works Division, Building Construction Department, Darbhanga.
 3. Raj Narayan Upadhaya S/o Late Baidya Nath Upadhaya R/o Village- Kazipura, P.S. Doriganj, Distt- Chapra, Superannuated from the post of Electrical Junior Engineer, under Electrical Works Division, Building Construction Department, Darbhanga.
 4. Kaushal Kishore Mandal S/o Late Dahogi Mandal R/o Village- Kamal Nagar Colony, P.S. Mojahitpur, Distt- Bhagalpur, Superannuated from the post of Electrical Junior Engineer, Electrical Estimating Division No. 2, Building Construction Department, Bisheshraiya Bhawan, Patna, presently reorganized Electrical Works Division, B.C.D., Darbhanga.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Bishesaraiya Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Building Construction Department, Bishesaraiya Bhawan, Bailey Road, Patna.
3. The Principal Secretary, Department of Agriculture, Vikash Bhawan, Bailey Road, Patna.
4. The Secretary, Department of Agriculture, Vikash Bhawan, Bailey Road, Patna.
5. The Deputy Secretary, Building Construction Department, Bishesaraiya Bhawan, Bailey Road, Patna.
6. The Electrical Chief Engineer, Building Construction Department, Bishesaraiya Bhawan Campus, Bailey Road, Patna.
7. The Electrical Executive Engineer, Electrical Works Division, Building Construction Department, Muzaffarpur.
8. The Electrical Executive Engineer, Electrical Works Division, Building Construction Department, Darbhanga.

... .. Respondents

Appearance :

For the Petitioners	:	Mr.Jai Prakash Verma, Advocate
For the Respondents	:	Mr.Raj Ballabh Pd. Yadav (AAG11)



CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 07-09-2020 Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State.

Petitioners are superannuated junior electrical engineers in the present writ petition. Their grievance is with regard to non-payment of difference of post retiral dues.

Learned counsel appearing on behalf of the petitioners submits that in fact, the Deputy Secretary, Building Construction Department has already issued different orders in favour of the petitioners as contained in Annexures 2 to 6. Unfortunately, the respondents have not granted benefits to which the petitioners are entitled in terms of Annexures 2 to 6.

Considering the decisions of the Deputy Secretary, Building Construction Department (Annexures 2 to 6) , the writ petition is disposed of with a direction to the respondents to ensure payment of difference amount of gratuity, amount of earned leave encashment to the petitioners, if not already paid, at the earliest preferably within a maximum period of twelve weeks from the date of receipt/production of a copy of this order failing which the entire amount shall carry interest at the rate of 9% per annum from the date of their retirement till the date of actual payment.



With the aforesaid, the present writ petition stands
disposed of.

(Anil Kumar Upadhyay, J)

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