

Civil Writ Jurisdiction Case No.7556 of 2020

Rampujan Sah Son of Late Sitaram Sah resident of Bari Aliganj (College Road), Police Station- Pakur (Town), District- Pakur- 816107(Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through, the Chief Secretary, Government of Bihar.
3. The Director Agriculture Department, Government of Bihar, Patna.
4. The Secretary, Rural Development Department, Government of Bihar, Patna.
5. The Accountant General, Bihar, Patna.
6. The Secretary, Agriculture Department, State of Bihar, Patna.
7. The State of Jharkhand through Chief Secretary, Jharkhand, Ranchi.
8. The Accountant General, Jharkhand, Ranchi.
9. The District Commissioner, Sahebganj.
10. The Block Development Officer, Rajmahal, Sahebganj.
11. The Treasury Officer, Sahebganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Apurva Kumar
For the State	:	Mr. Sarvesh Kumar Singh, AAG 13
For State of Jharkhand	:	Mr. Dev Kumar Pandey
For Accountant General	:	Ms. Nivedita Nirvikar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-09-2020 Heard learned Counsel for the parties concerned,
through Video Conferencing.

The present writ application has been filed for a direction to the respondents to pay the interest under the Interest Act as well as statutory interest on the retiral dues paid to the petitioner.

The fact of the case, in brief, is that the petitioner had



moved before this Court earlier by filing CWJC No. 13538 of 2015, claiming therein his retiral dues and other benefits. The said writ application was heard and disposed of by this Court vide order, dated 11.04.2018, in which this Court has recorded the submission of learned Counsel for the respondents that the entire dues of the petitioner have been paid and the same was accepted by the petitioner, as reflected in the said order.

Learned Counsel for the petitioner submits that the Writ Court, in the order, dated 11.04.2018, while disposing of CWJC No. 13538 of 2015, did not pass any order for payment of interest, as such, the present writ application has been filed for the same and also for disposal of the representation of the petitioner, annexed at Annexure 3. He also submits that the petitioner has filed a contempt application, being M.J.C. No. 4717 of 2019, for non-compliance of the order, dated 11.04.2018, which is still pending before this Court.

Learned Counsel for the respondents submit that this writ petition is not maintainable inasmuch as whatever relief the writ petitioner is claiming in the present writ application was already available to him while filing CWJC No. 13538 of 2015 and if the grievance(s) of the petitioner, with regard to payment of interest and other benefits have not been considered by the



Writ Court in its earlier order, the petitioner has the remedy under *intra* Court appeal and not by filing the second writ application claiming relief in a piecemeal manner. They further submit that the contempt application filed by the petitioner is still pending and insofar as the disposal of the representation is concerned, the petitioner may raise his grievance before the Contempt Court for non-compliance of the order passed earlier.

Having heard learned Counsel for the parties concerned and taking into consideration the facts and circumstances of the case, in my opinion, the present writ application claiming relief in piecemeal manner, after disposal of the first writ application, is not maintainable.

This writ application is, accordingly, disposed of.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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