

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15757 of 2019**

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Shyam Nandan Pandey, Son of Ramhit Pandey, Resident of Village- Pirhi,  
Police Station- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The Bihar State Road Transport Corporation through its Administration,  
Parivahan Bhawan, Birchand Patel Path, Patna.
2. The Chief of Administrator, Parivahan Bhawan, Birchand Patel Path, Patna.
3. The Chief Accounts Officer, Parivahan Bhawan, Birchand Patel Path, Patna.
4. The Divisional Manager, Bihar State Road Transport Corporation,  
Darbhanga, Division Darbhanga.

... .. Respondent/s

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**Appearance :**

|                     |   |                                                                         |
|---------------------|---|-------------------------------------------------------------------------|
| For the Petitioner  | : | None                                                                    |
| For the Respondents | : | Mr.Prabhat Kumar Verma, Sr. Advocate<br>Dr. Mankeshwar Tiwari, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      16-06-2020                      This matter has been listed today for consideration  
  
through video conferencing in view of the nationwide lockdown  
  
on account of COVID-19 pandemic.

The learned counsels are appearing and making  
submissions from their residence. The Court Master and  
Secretary are also part of this virtual Court proceedings from  
their homes, all with the aid of audio visual technology.

The petitioner's claim in the instant writ proceedings  
is for payment of retiral dues. He superannuated on 31.12.2016  
while working as a Conductor-Cum-Incharge, Madhubani Bus  
Depot.



The last order of this Court is dated 19.08.2019, directing the respondents to file a counter affidavit within four weeks showing payment of admissible outstanding amount of retiral dues.

In compliance thereto, a counter affidavit has been filed showing details of payment made to the petitioner, which are extracted herein under from paragraph 5 of the counter affidavit:

| Sl. No. | Head                               | Amount         | RTGS No | Date       |
|---------|------------------------------------|----------------|---------|------------|
| 1       | Provident Fund                     | Rs.6,62,866.00 | 489     | 14.06.2017 |
| 2       | Interest on Provident Fund         | Rs.78,847.00   | 93      | 17.05.2018 |
| 3       | Gratuity                           | Rs.4,91,040.00 | 1125    | 18.09.2019 |
| 4       | Unutilised earned leave encashment | Rs.2,54,591.00 | 1125    | 18.09.2019 |

Mr. P.K. Verma, learned Senior Counsel appearing for the respondent-BSRTC has joined the instant proceeding through video conference. Referring to paragraph 5 of the counter affidavit, he submits that the due admissible amount of provident fund as well as interest on provident fund and unutilized earned leave encashment have been paid to the petitioner.

A copy of the counter affidavit has been served on the petitioner's Counsel on 12.12.2019 ascertaining the compliance



of this Court's earlier order dated 19.08.2019.

When the matter is taken up through video conference, the petitioner has not been able to join the instant proceedings.

In view of the affidavit showing the details of payments made to the petitioner, no further adjudication is required in the instant proceedings and keeping the same pending would serve no useful purpose. If the petitioner would have any grievance in respect of the payment made or there is any amount outstanding against any head, it will be open for the petitioner to approach the Chief Accounts Officer of the Corporation (Respondent No.3).

The writ petition is disposed of with liberty as aforesaid.

**(Madhuresh Prasad, J)**

PNM

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