

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19671 of 2018

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Narendra Bhagat S/o Late Bujhavan Bhagat, Resident of Village Ward NO. - 7, (Nalbandh Tola), Daudnagar, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner

Versus

1. The State Of Bihar through Secretary, Urban Development and Housing Department , Bihar, Patna
2. Municipal Administrator Cum Additional Secretary, Urban Development and Housing Department, Bihar,
3. District Magistrate, Aurangabad.
4. Executive Officer, Nagar Parishad Daudnagar, District- Aurangabad.
5. Sub-Divisional Officer cum Administrator, Nagar Parishad Daudnagar, District- Aurangabad.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate
For the Respondents : Mr. Kinkar Kumar -SC9
For the Nagar Parishad : Mr. Ashutosh Ranjan Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-06-2020 Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned counsel appearing on behalf of the Daudnagar Nagar Parishad.

The petitioner has prayed for the following reliefs:-

“(i) For issuance of an appropriate writ in the nature of mandamus directing the respondent authorities to pay the retiral benefits including the pension gratuity, (Except earn leave and provident fund) etc. with proper interest then and there who retired from the post of In-charge-Head clerk on 30.10.17 and he has not any other source of income and he is suffering from various economic problem.

(ii) To grant any other relief/reliefs to which the petitioner may be found entitled to in the



facts and circumstances of the case.”

Learned counsel appearing on behalf of the petitioner would submit that the petitioner has not been paid lawful dues as yet. The petitioner retired on 31.10.2017.

Learned counsel appearing on behalf of Daudnagar Nagar Parishad submits that the entire dues have been paid to the petitioner. There is no counter affidavit in this case on record.

However, without going into any controversy-whether payment of lawful dues has been made or not, the writ petition is disposed of with a direction to the Executive Officer, Nagar Parishad Daudnagar, District Aurangabad (respondent no. 4) to verify the record and on verification of the record if it is found that the petitioner has not been paid lawful dues on retirement and if it is found payable to the petitioner, Executive Officer shall ensure payment of the dues within a maximum period of sixty days from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

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