

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13394 of 2018

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Arjun Kumar Son of Tanger Rajak, Resident of Village Sanjauli, P.O.-
Sanhau, P.S.- Sanhau, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Khagaria.
2. The Additional District Collector, Khagaria.
3. The District Panchayat Raj Officer, Khagaria.
4. The Land Acquisition Officer, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Poddar Suresh Gandhi, Adv
For the Respondent/s : AC to SC-27

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 13-07-2020 Heard learned counsel Sri Poddar Sudhir Gandhi

 appearing for petitioner as well as learned AC to SC-27 appearing for

 State through video conferencing.

The petitioner has filed this writ petition for issuance of
direction to respondents to pay his retrial dues including gratuity.

The order dated 03.12.2018 goes to show that the State
was directed to file counter affidavit, but learned counsel appearing
for State submits that a departmental proceeding was initiated against
the petitioner and due to initiation of aforesaid departmental
proceeding, the amount of gratuity of the petitioner was stopped.
However, petitioner challenged the initiation of departmental
proceeding by filing a separate writ petition before this Court.
Learned counsel for the State further submits that the petitioner was



discharged from the departmental proceeding and his entire retrial dues including the gratuity have already been paid to him. Learned counsel for the State further submits that inadvertently the counter affidavit of this case was filed in another case which has been filed by the petitioner for quashing the departmental proceeding initiated against him.

On the other hand, learned counsel appearing for petitioner submits that the gratuity has not been paid to the petitioner.

In view of the aforesaid facts and circumstances, particularly, taking note of submissions of learned counsel appearing for State, this writ petition stands disposed off with direction to respondents to verify as to whether amount of gratuity has been paid to petitioner or not and, if the amount of gratuity has not been paid to the petitioner as yet, the same shall be paid to the petitioner within six weeks from the date of receipt/production of a copy of this order.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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