

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8541 of 2017

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Md. Kamaluddin son of Late Katmuddin, resident of Village and P.O.- Fatehpur, P.S.- Barari, District- Bhagalpur, at present resident of Mohalla- Habibpur, PO and PS- Habibpur, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Energy Secretary, Department of Energy, Govt. of Bihar, Patna.
3. The Director, Bihar Renewable Energy Development Agency BREDA 3rd Floor Sone Bhawan, Birchand Patel Path, Patna
4. The Deputy Director, BREDA, 3rd Floor, Sone Bhawan, Birchand Patel Marg, Patna.
5. The District Magistrate, Purnea.
6. The Deputy Development Commissioner, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Dr. Manoj Kumar, Advocate
For the State	:	Mr.Ranjay Kumar Singh, AC to SC-6
For BREDA (respondent nos.3 and 4)		Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 06-11-2020

Heard learned counsel for the petitioner and learned counsel for the respondents through video conference.

2. The present writ petition has been filed “*for issuance of an appropriate writ/writs, order/orders, direction/directions in the nature of writ of mandamus commanding upon the concerned respondents to pay the petitioner his admissible retirement benefits i.e. G.P.F., Gratuity, leave encashment etc., dues salary, difference of amount towards salary on account of 6th pay revision and start pension from the date of his*



superannuation along with stipulated interest thereon till its payment.”

3. At the very outset, learned counsel for the petitioner refers to the supplementary counter affidavit filed on behalf of respondent nos. 3 and 4, according to which due payments by way of Gratuity, Unutilised Leave and difference of salary on account of 6th pay revision have already been made. Details of deduction from the petitioner's salary by way of GPF and GIC have been sought from the DDC for the period when the petitioner was posted at Purnea and attached to the office of the DDC, which are awaited. The petitioner accordingly requests that the writ petition be disposed of with liberty to file a representation before the concerned authority for payment of the outstanding amounts by way of GPF and GIC.

4. Learned counsel for the respondent-BREDA appears and has been heard.

5. Having regard to the stand of the petitioner, the writ petition is disposed of with liberty to the petitioner to file an appropriate representation before the concerned authority for payment of the outstanding amount of GPF and GIC. If any such representation is filed within a period of two weeks from today, the same shall be disposed of on its own merits in



accordance with law after grant of an opportunity of hearing to the petitioner, expeditiously. Payment to the extent found due to the petitioner shall be made without delay.

6. It is also made clear that in view of the ongoing Covid-19 pandemic, any correspondence between the parties may be made through e-mail and that the petitioner shall be at liberty to request the concerned authority for hearing through video conference. For this purpose, the petitioner shall furnish his mobile number and e-mail ID to the concerned authority in the representation permitted to be filed as aforesaid.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.11.2020
Transmission Date	N/A

