

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21328 of 2019

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Md. Enam Son of Late Md. Ranjan, Resident of Village-Phulwarisharif, P.S.
and P.O.-Phulwari-Sharif, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Secretary, Sone Command Area Development Agency, Patna.
3. The Deputy Director, Soil and Water Management, Sone Command Area Development Agency, Bhabhua, Kaimur.
4. The Executive Engineer, Sone Command Area Development Agency, Bhabhua, Kaimur.
5. The Accountant, Sone Command Area Development Agency, Bhabhua, Kaimur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Satyendra Pandey
For the Respondent/s : Mr. Harshvardhan Shivasundram

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 30-06-2020

Heard learned counsel for the petitioner and
learned counsel for the State via video conferencing.

2. The instant writ petition has been filed by the
petitioner seeking direction to the respondents to pay his arrears
of the earned leave and its increment with its statutory interest.

3. The petitioner is a retired employee of the
erstwhile Sone Command Area Development Agency, Patna,
which had been established as a body corporate under the Bihar
Agricultural and Rural Area Development Agency Act, 1978.
Under a policy decision of the State Government, the said Act



was repealed and the aforesaid agency and other such agencies were dissolved with effect from 01.09.2018 and a permanent employees of the agencies have been absorbed in the Water and Land Management Institute, Patna, which is a society registered under the Societies Registration Act and functioning under the administrative control of the Water Resources Department, Bihar. All assets and liabilities of such dissolved agencies have been transferred to the Water and Land Management Institute, which is headed by the Director (Chief Engineer), Water and Land Management Institute, Patna.

4. A counter affidavit has been filed on behalf of the respondents wherein it is stated that the Executive Engineer, Sone Command Area Development Agency, Bhabhua (Kaimur) regularized the said periods of absence of the petitioner as earned leave with full salary vide order contained in Memo No. 726 dated 26.10.2016. The arrears of salary of the petitioner was paid on 15.02.2017. The Executive Engineer, Command Area Development Division, Bhabhua fixed the salary of the petitioner allowing him admissible increments and sent requisition to the Superintending Engineer, Command Area Development Circle, Sone Bhawan, Patna vide letter no. 638 dated 29.11.2019 for allotment of fund. Pursuant to the said



requisition, the Superintending Engineer sanctioned and released the required fund vide letter no. 374 and 375 dated 03.12.2019. Having received the required fund, the Executive Engineer got the due amount paid to the petitioner vide cheque no. 067123 dated 09.12.2019

5. Based on the aforesaid averments made in the counter affidavit filed on behalf of the respondent nos. 2 to 5, Mr. Harshvardhan Shivsundaram, learned counsel submitted that the grievance of the petitioner has already been redressed, the contention made in the counter affidavit having been controverted by the petitioner.

6. In that view of the matter, since the grievance of the petitioner has already been redressed, the writ petition is disposed of.

(Ashwani Kumar Singh, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30-06-2020
Transmission Date	N.A.

