

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17605 of 2018

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Santosh Kumar Kedia, son of Radhe Shyam Kedia, resident of Jagdamba Textiles, Purani Gurhatti, Police Station - Chapra, District Saran at Chapra presently residing at Asansol, Police Station - North Asansol, District - East Burdwan, West Bengal.

... .. Petitioner

Versus

1. Uttar Bihar Gramin Bank, Head Office Kalambag Chowk, Muzaffarpur, District-Muzaffarpur through its Chairman.
2. The Chairman, Uttar Bihar Gramin Bank, Head Office Kalambag Chowk, Muzaffarpur, District Muzaffarpur.
3. The Branch Manager, Uttar Bihar Gramin Bank, Chhapiya Branch, Police Station Taraiya, District- Saran at Chapra.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Sanjay Kumar Verma, Advocate.
For the Respondents : Mr.Prabhakar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the parties.

The following reliefs have been sought for on behalf of the petitioner in the present writ application.

“1. For issuance of an appropriate writ in the nature of Mandamus or any other appropriate writ, order or direction for commanding the respondents to make payment of post retiral dues/terminal benefits to the petitioner alongwith interest simple as well as penal inter-alia the following reliefs:-



(i) The respondents' illegal act of withhold the outstanding dues of the petitioner so on alien consideration be highly deprecated and accordingly a direction be issued to release the outstanding post retiral dues in favour of the petitioner.

(ii) Impugned decision of the respondent contained in letter bearing No. HO/DAD/08/15-16 380 dated September 23, 2015 issued under the hand of the then Chairman B.S. Harilal inter-alia holding the petitioner as not entitled for payment of retiral dues/terminal benefits except the contribution of the provident fund till the final decision in criminal case be declared as highly illegal, arbitrary and against the mandate of law and accordingly be set aside.

(iii) The respondents be directed to pay outstanding Provident Fund Amount, Gratuity, cash against privileged leave and other retiral dues to the petitioner.

(iv) The respondents be commanded to act as per the direction given in the case of Laxmeshwar Prasad Ray alias Rai Verus Uttar Bihar Gramin Bank and others speaking for release of retiral dues/terminal benefits to the employees like the petitioner.

(iv) The erring respondents be sternly dealt with for their misdeed, misdemeanor and illegal act of harassing the petitioner in withholding the terminal dues despite the aura get cleared on this issue.

(vi) A heavy cost be awarded against the erring respondents in favour of the petitioner.

(vii) The respondents be directed to grant all the consequential benefits to the petitioner for which he is found legally entitled to in the facts and circumstances of the case.”

Considering the reliefs as sought for on behalf of the petitioner in the present writ application, the petitioner is granted liberty to file/make a representation alongwith the



relevant documents before the concerned authority within a period of eight weeks from today. The concerned authority shall consider the representation of the petitioner and pass an appropriate order, in accordance with law, within a period of four months, from the date of filing/making of such representation.

The present writ application stands disposed of with the aforesaid observation and direction.

(Sudhir Singh, J)

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