

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20391 of 2011

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Prakash Prasad Yadav S/O Late Ramjee Prasad Yadav R/O Village- Sare, P.S.-
Sare, District- Nalanda, Presently Residing At- Nagadah, P.S.- Mufassil,
District- Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar, through Chief Secretary
2. The Collector, Begusarai
3. The Director, Employment And Training, Bihar, Patna
4. The Accountant General Bihar, Birchand Patel Marg, Patna
5. The District Accountant Officer, Begusarai
6. The Principal, Industrial Training Institute, Begusarai
7. The District Provident Fund Officer, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
For the Respondent/s : Mrs. Binita Singh, SC-28

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 09-12-2021

Petitioner has prayed for the following relief(s)-

“1. (i) For issuance of writ or any appropriate writ commanding the respondents to grant all retiral benefits of the petitioner as such provident fund from the date of joining, one increment of 1.8.2005, Gratuity, pension since June, 2011, actual substantive allowance of the period of his suspension and arrear of the period of 9.8.99 to 31.3.07 and 1.1.08 to 28.2.2010 to the petitioner.

(ii) For issuance of writ of Mandamus directing the respondents to grant consauertional



benefits of the petitioner in light of letter no. 250 dated 11.2.2011 because some junior were promoted but till the date of retirement, the petitioner has not been granted the promotional benefits.

(iii) For issuance of writ/s for other relief/reliefs, the petitioner is entitled in the eye of law.”

Shri Surendra Kumar Singh, learned counsel for the petitioner states that perhaps with the passage of time, the departmental proceedings, initiated against the original petitioner and other persons, would have completed.

As such, as jointly prayed for, the instant petition is disposed of in the following mutually agreeable terms:-

(a). Petitioner is permitted to withdraw the present petition;

(b) Petitioner shall approach the respondent authorities venting out the grievances, within a period of four weeks from today;

(c) The authorities concerned shall consider and dispose of the representation by passing a reasoned and speaking order within a period of three months from the date of its filing along with a copy of this order before the authority concerned;

(c) Needless to add, while considering such



representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	10.12.2021
Transmission Date	

