

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 7490 of 2021

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Renu Devi Wife of Late Amrendra Kumar Jha Resident of Mohalla- G.N. Mukherjee Road, Bhikhanpur, Gumti No.1, P.O.- P.O.- Head Post Office Bhagalpur, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Department of Co-operative, Government of Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. The Bihar State Land Development Bank Ltd. presently known as Multi Star Co - Operative Land Development Bank Limited, Bihar Jharkhand, Budh Marg, Patna through its Chairman.
4. The Managing Director, Bihar State Land Development Bank presently known as Multi State Cooperative Corporative Land Development Bank Ltd., Bihar Jharkhand Budh Marg, Patna.
5. The Secretary, Bihar State Land Development Bank presently known as Multi State cooperative Corporative Land Development Bank Ltd., Bihar Jharkhand Budh Marg, Patna.
6. The Regional Manager, Bihar State Land Development Bank presently known as Multi State Cooperative Corporative Land Development Bank Ltd., Bhagalpur.
7. The Branch Manager, Bihar State Land Development Bank presently known as Multi State Cooperative Corporative Land Development bank Ltd. Amarpur, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Amish Kumar, Advocate
For the S t a t e	:	Mr Sushil Kumar, GP XXII
For the B a n k	:	Mr Rajesh Prasad Choudhary, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

9 21-06-2022 The amount of cost of Rs 5,000/-, in terms of the order dated 20.05.2022 passed earlier in these proceedings, has been handed over to the petitioner's counsel.

Heard learned counsel for the petitioner and the respondents.



This writ petition has been filed for the following relief (s):-

“1. That this is an application for issuance of appropriate writ/writs, order/orders, direction/directions for the following relief/reliefs in the nature of mandamus which are as follows:-

i. For direction to the Respondents concerned to make payment of arrears of salary of the petitioner for the period as enumerated for the sake of convenience in para-9 of the writ application while discharging his duties on the post of Peon (Anusewak) in the respondent bank.

ii. For direction to the Respondents concerned to make payment of the Special Allowance of Rs 1000/- for period 18.06.2010 to 16.08.2017 admissible to the petitioner for discharging duty as the Recovery Employee in terms of Letter dated 18.06.2020 (Annexure-4).

iii. For direction to the Respondents concerned to provide the calculation-chart of the aforesaid Arrears of Salary/Special Allowance as well as also to make payment of statutory interest over delay which occurred in not making the payment of the all aforesaid dues well within time.

The petitioner further prays for issuance of writ/writs, order/orders, direction/directions for the following relief/reliefs which he is entitled to in the facts and circumstances of the present case.”

In paragraph 17 of the counter affidavit, the respondents have made specific statement that payment of provident fund and group insurance have already been made.



Gratuity and leave encashment are not payable in view of the final order passed in the departmental proceeding dated 02.12.2019 bearing Memo No 3642.

Petitioner's counsel submits that he would be assailing the order dated 02.12.2019.

This Court would grant liberty to the petitioner to assail the order. This Court would, however, observe that since it is the specific averment of the respondents that provident fund and group insurance have been paid, they are obliged to furnish a chart showing the details of payment made. Such calculation chart shall be supplied to the petitioner within eight weeks from today.

This writ application stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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