

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5829 of 2021

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Ajay Kumar Singh, S/o Late Dhrub Narayan Singh, Resident of Village and
P.O.- Chatra, P.S.- Dhanaut, District- Rohtas, PIN- 802221.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department,
Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Bihar Food and Civil Supplies Corporation Limited through its
Managing Director.
5. The Managing Director, Bihar Food and Civil Supplies Corporation Limited,
Son Bhawan, Birchand Patel Path, Patna.
6. The Administration-in- Chief, Bihar Food and Civil Supplies Corporation
Limited, Son Bhawan, Birchand Patel Path, Patna.
7. The District Manager, Bihar Food and Civil Supplies Corporation Limited,
Bhojpur at Ara.
8. The District Manager, Bihar Food and Civil Supplies Corporation Limited,
Kaimur at Bhabhua.
9. The District Manager, Bihar Food and Civil Supplies Corporation Limited,
Rohtas at Sasaram.
10. The Multi- State Cooperative Land Development Bank Samiti Budh Marg,
Patna through its Chairman.
11. The Chairman, Multi- State Cooperative Land Development Bank Samiti,
Budh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Navendu Kumar, Advocate
For the Respondent/s	:	Mr. Lalit Kishore (AG)
For the BFCS	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 04-02-2022

This matter is heard via video conferencing due to
circumstances prevailing on account of COVID-19 Pandemic.



2. Unnecessarily, the petitioner has impleaded State respondent nos. 1 to 3 as party, though the State has no connection with the petitioner's service condition.

3. The petitioner is stated to be an employee of Multi State Co-operative Land Development Bank and he was on deputation to Bihar Food and Civil Supplies Corporation Limited. Therefore, the aforesaid authority is required to redress the grievance of the petitioner, consequently the petitioner has impleaded respondent nos. 1 to 3 as mis-joinder of respondents.

4. Accordingly, the petitioner is hereby directed to delete the respondent nos. 1 to 3 from the array of respondents within a period of two weeks' from today.

5. Learned counsel for the petitioner is hereby directed to furnish hard copy of the writ petition to the learned counsel for the respondents BSFC Mr. Shailendra Kumar Singh.

6. In the instant petition, the petitioner has prayed for the following reliefs:

- (i) For a direction to the concerned respondents to make payments of arrears of salaries with statutory interest to the petitioner for the periods of January 2013 to March 2016 and 1st of November 2017 to 10th of January 2018 and also for the period of 16th of January 2018 to 20th February 2019, when he was posted on deputation in the Bihar State Food and Civil



Supplies Corporation in the Kaimur and Rohtas Districts respective;

(ii) For a direction to the concerned respondents to make payments of the enhanced DA with statutory interest for the period of August 2011 to 20th February 2019.

(iii) For a direction to the concerned respondents to make payments of provident fund with statutory interest, which was deducted from his salary for the period of August 2011 to 20th of February 2019.

(iv) For any such other order/ orders for which the petitioner is entitled to.

7. In support of the aforesaid relief, the petitioner has submitted representation on 02.09.2020 (Annexure-9).

8. The concerned respondent is hereby directed to take note of petitioner's grievance and redress the same within a period of three months from the date of receipt of a copy of this order.

9. If the petitioner is otherwise eligible, monetary benefit shall be calculated and disbursed along with interest at the rate of 6% per annum in the light of decision of the Apex Court in the case of **Vijay L. Mehrota Vs. State of Uttara Pradesh and others** reported in **(2001) 9 SCC 687**.

10. If the petitioner is not otherwise eligible, in that event necessary speaking order shall be passed as to why the petitioner is not entitled to.



11. The above exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

12. The writ petition stands disposed of.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.02.2022
Transmission Date	NA

