

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10801 of 2021

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Sita Ram Singh Son of Jagnarayan Singh Resident of Village-Bihta English,
P.S. Bihta District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Panchayat Raj Department, Government of Bihar, Patna.
3. The Secretary, Panchayat Raj Department, Government of Bihar, Patna.
4. The Deputy Development Commissioner, Bhojpur, Zila Parishad, Ara,
District-Bhojpur.
5. The Chief Executive Officer Bhojpur, Ara, District-Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Respondent/s : Mrs. Archana Minakshi, (GP 6)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 15-11-2022

Heard Mr. Anil Chandra, learned counsel appearing on
behalf of the petitioner and Mrs. Archana Minakshi, learned GP 6
on behalf of the respondent State.

2. By filing the present writ application, the petitioner
seeks a direction upon the respondent to ensure the payment of
gratuity, provident fund, and difference of leave encashment
along with statutory interest.

3. The short facts of the case is that the petitioner was
superannuated from his service on 31.07.2004 from the post of
Ayurvedic Medical Officer, Bihiya. Earlier the petitioner had
moved before this Court by filing CWJC No. 14373 of 2004 for



grant of all his retiral benefits which application was disposed of, after having been found the grievance of the petitioner redressed. It is further contended that though on account of non communication, the earlier writ application was dismissed, as not pressed. However, the fact remains that the grievance with regard to the payment of gratuity and provident fund has never been redressed.

4. On the other hand, Mrs. Archana Minakshi, initially opposed the maintainability of the writ application, however, later on, she fairly submits that since the matter is with regard to the payment of General Provident Fund and gratuity, the petitioner may be given liberty to file a representation before the concerned authority, who would pass the reasoned and speaking order.

5. Having regard to the submissions made on behalf of the parties, the present writ application is disposed of, with a direction to the petitioner to file a representation before the respondent no. 4 within a period of four weeks from today. If such a representation is filed along with materials in support of his claim, necessary speaking order shall be passed within a further period of eight weeks.

6. It is made clear that if the petitioner would be found entitle to the benefit under the head of General Provident Fund and



gratuity and other outstanding dues, the actual payment shall be made in the period aforesaid, itself.

7. Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.11.2022.
Transmission Date	NA

