

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8925 of 2022

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Ramdeo Paswan S/o Late Prahlad Paswan Village- Auraiya Mouzatola, P.O.-
Auraiya, P.S.- Bettiah Mufassil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Industries, Govt. of Bihar, New Secretariat, Patna.
2. The Special Secretary Department of Industries, Govt. of Bihar, New Secretariat, Patna.
3. The Director (Industries) Department of Industries, Govt. of Bihar, New Secretariat, Patna.
4. The Official Liquidator Murya Lok Complex, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh, Advocate
For the Respondent/s : Mr.Abbas Haider (Sc6)

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

Date : 23-11-2022

In the instant petition, petitioner has prayed the
following relief:-

“That the present writ petition is for issuance of an appropriate writ/writs, order/orders, direction/directions to concern authority i.e. State functionaries to include his name in the list of retired employees of the Corporation in question and forward to Official Liquidator for inclusion of his name in the list supplied regarding the employees of the Corporation and release the payment as per entitlements in same terms and conditions under which other employees, whose name forwarded were paid, whereas, his name is missing in list inadvertently and under wrong premises whereas the benefits



had been provided to the petitioner under Employees Pension Scheme and the interim amounts against the due payment were paid in light of the observations and directions of the Apex Court in case of Kapila Hingorani Vs The State of Bihar and others and interim payment was ensured on 25.03.2004 along with the others in terms of the payment order of the Hon'ble High Court, Patna and for other necessary relief/relief's to the basis of facts and circumstances of the case as stated, enumerated and discussed hereinafter."

Having regard to the relief sought in the present petition and the fact that Corporation has not been arrayed as party, the petitioner is not entitled to the relief sought in present petition for non-joinder of necessary and proper party.

Therefore, the present petition stands disposed off. Reserving liberty to the petitioner to submit detail representation to the Corporation, if the Corporation is not existing in the eye of law. In that event, the concerned State department is hereby directed to take note of petitioner's representation. Similarly, the official liquidator is also hereby directed to take note of petitioner's representation to be submitted and proceed in accordance with law.

If such representation is submitted within a period of four weeks' from today, the concerned authority is hereby directed



to examine the grievances of the petitioner in accordance with law
at the earliest.

(P. B. Bajanthri, J)

abhishekk/-

AFR/NAFR	
CAV DATE	
Uploading Date	28.11.2022
Transmission Date	

