

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10182 of 2018

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Naseem Ahmad S/o Late Md. Habib, R/o, Popular Tyres Service, G.S. Road,
Christan Basti, P.S.-Dispure and District-Guwahati Assam.

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... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Chief Secretary, Old Secretariat, Patna.
3. The Principal Secretary, Industries Department, New Secretariat, Patna.
4. Bihar State Handlooms and Handicrafts Corporation Ltd. Udhyog Bhawan,
Patna through its Managing Director.
5. Managing Director, Bihar State Handlooms and Handicrafts Corporation
Ltd. Udhyog Bhawan, Patna.
6. The Chief Accounts Officer, Bihar State Handlooms and Handicrafts
Corporation Ltd. Udhyog Bhawan, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mohammed Abu Haidar, Advocate
For the Respondent/s	:	Mr. Rakesh Ambastha, (AC to AAG 7)
For the Corporation	:	Mr. Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 03-11-2022

Heard Mr. Md. Abu Haidar, learned counsel appearing
on behalf of the petitioner, Mr. Dr. Anand Kumar, learned counsel
on behalf of the Bihar State Handloom and Handicraft Corporation
Ltd. and Mr. Rakesh Ambastha, learned AC to AAG 7.

The present application has been filed seeking a
direction to make payment of retiral dues including the Provident
Fund as also the due salary from October 1994 to December 2014
as well as pension, besides other dues.

Learned counsel for the petitioner submits that the
petitioner superannuated on 31.12.2014 from the post of Salesman



of Handloom and Handicraft Corporation Ltd. It is further submitted that, in spite of every effort, his retiral benefits have not been paid compelling him to approach before this Court.

On the other hand, learned counsel for the State, Handloom and Handicraft Corporation Ltd submitted that a sum of Rs. 12,61,661/- has been paid to the petitioner under 4th PRC against the arrear of salary for the period of October 1994 to December 2014 on recommendation of the Audit Team. He further submits that a sum of Rs. 2,58,663/- has also been paid to the petitioner under EPF head. He next submits that so far the benefit of arrears of salary on account of 5, 6 and 7th PRC is concerned, the same is not applicable to the employees of the Corporation.

At this juncture, learned counsel for the petitioner submits that a supplementary affidavit has been filed without annexing the calculation chart, apart from the fact that certain amount has been deducted illegally.

Learned counsel for the Corporation seeks permission to file supplementary counter affidavit, the same is taken on record. It is submitted that as soon the petitioner would approach the office of concerned respondent authority, he would be provided calculation chart.



In view of the submissions made on behalf of the parties and the materials available on record, this Court thinks it apt and proper to dispose of the writ application with a direction to the petitioner to file a representation before the Managing Director, Bihar State Handloom and Handicraft Corporation Ltd. within a period of four weeks, agitating his grievances, if any.

In case, any such, representation is filed by the petitioner, the respondent no. 5, Managing Director of Bihar State Handloom and Handicraft Corporation Ltd. would be under obligation to dispose of the same, preferably within a period of four weeks from the date of its filing, by a reasoned and speaking order.

It is needless to say that if the petitioner would be found entitle for any other benefits, the consequential order must be passed.

Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.11.2022
Transmission Date	NA

