

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10743 of 2020

Asarfi Hajara Son of Jagarnath Hajara Resident of Village- Barwat Prasaraian,
Police Station- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
2. The Bihar State Forest Development Corporation Limited through its Principal Chief Conservator of Forests (Development) cum Managing Director.
3. The Principal Chief Conservator of Forests (Development) cum Managing Director, Bihar State Forest Development Corporation Limited, Officer's Flat No. K-5, New Punaichak, Patna-23.
4. The Additional Chief Conservator of Forests (Development) cum Managing Director, Bihar State Forest Development Corporation Limited, Officer's Flat no. K-5, New Punaichak, Patna-23.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bashishth Narayan Mishra, Advocate.
For the Respondent/s : Mr. Vinay Kriti Singh, GA-2

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-11-2022 Heard Sri Bashishth Narayan Mishra, learned counsel
for the petitioner and Mr. Vinay Kriti Singh, learned GA-2 for
the State.

The present application has been filed seeking a
direction commanding upon the respondents especially
respondent no. 3 to pay the amount of leave encashment for 300
days with statutory interest, which has been illegally denied.

It is submitted that the petitioner was appointed on the
post of forest guard on 18.05.1977 under Bihar State Forest
Development Corporation and he was, later on, promoted to the



post of forester and after working more than 40 years in the Corporation superannuated on 30.09.2017. He further contended that in spite of repeated request and reminder made before the concerned authorities, the leave encashment amount has not been paid, though, the similarly situated employees of the Corporation, who approached before this court by filling CWJC No. 16236 of 2011 and CWJC No. 17424 of 2016, they have been allowed the benefit of leave encashment. He next contended that recently in an identical matter the coordinate Bench of this court in CWJC No. 918 of 2021 directed the respondent authorities to consider the claim of the employee of the Corporation and if the present writ application would be disposed of in terms of the aforesaid orders, the petitioner would be satisfied.

None appears on behalf of the Bihar State Forest Development Corporation.

In view of the aforesaid submissions, the present writ application is disposed of with a direction to the petitioner to file a representation before the respondent no. 3 along with the orders of this court passed in identical matter. On receipt of such representation within two weeks from today, the respondent no. 3 would be under obligation to pass necessary reasoned and



speaking order preferably within a period of six weeks, in terms of the orders of this court mentioned herein above. It is needless to say that in case the claim of the petitioner finds favour, order for consequential benefit must be passed within the aforesaid period.

Accordingly, the present writ application stands disposed of with the aforesaid direction and observation.

(Harish Kumar, J)

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