

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.399 of 2021

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Satruhan Sah son of Kawalldhari Sah resident of Mohalla - Brindabad, P.O.
-Brindabad Mirchaiya, P.s. - Kalyanpur, Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary-cum- Commissioner, Environment and Forest Department, Patna, Bihar.
2. The Chief Conservator of Forest - cum- Managing Director, Bihar State Forest Development Corporation Ltd, Officers Flat No. K-5 and 6, New Punaichak, Patna- 23.
3. The Principal Secretary, Environment forest and Climate Change, Department Sinchai Bhawan, Secretariat, Patna.
4. Bihar State Forest Development Corporation Ltd, Officers Flat No. K-5 and 6, New Punaichak, Patna - 23.
5. District Forest Officer, Bettiah Central Division, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-07-2022 The present writ petition has been filed seeking
following reliefs :-

“(i) To pay the leave encashment of 300 days of total length of service with effect from the date of superannuation on 30.09.2018 of Rs. 2,17,661/- in pursuance to notification of Finance Department dated 22.06.2016 at the rate of dearness allowances of 245%.

(ii) To holds the order passed by this Hon’ble High Court in C.W.J.C. no. 16236 of 2011 dated 15.12.2015 in Kailash Singh case by which the Hon’ble High Court directed the



respondents to pay the leave encashment amount to the petitioner in the light of the direction of the Finance Department, who allotted fund Rs. 10,00,00,000/- (Ten crores) on the recommendation of the Managing Director/ Administrator of the Corporation.

(iii) To holds the another orders passed in C.W.J.C. no. 17424 of 2016 and C.W.J.C. no. 17304 of 2017 dated 12.04.2017 and 16.01.2019.

(iv) To hold the letter of approval passed by Joint Secretary, Forest Department in C.W.J.C. no. 17424 of 2016 Bakshi Shyam Saran Sinha case disposed off on 12.04.2017, by which the Joint Secretary, Forest Department sent a letter to Accountant General, Bihar for approval of amount of Rs. 2,83,500/- dated 12.09.2017 for the payment to Bakshi Shyam Saran Sinha, the present petitioner is also entitled the benefit of leave encashment amount.”

After some arguments, the learned counsel for the petitioner seeks liberty to approach the respondent no. 2 i.e. the Chief Conservator of Forest-cum- Managing Director, Bihar State Forest Development Corporation Limited, by filing appropriate representation for redressal of his aforesaid grievances.



Accordingly, the present writ petition stands disposed off, however with liberty to the petitioner to approach the respondent no. 2 by filing appropriate representation and in case, such a representation is filed within a period of four weeks from today, the respondent no. 2 shall consider the same and pass appropriate orders, within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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