

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.892 of 2020

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Sarbin Kumar Das, Son of Late Krishna Kumar Das, Resident of Ram Bhawan, Bakarganj, Daldali, Road, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, General Administrative Department, Government of Bihar, Patna.
3. The Secretary, Department of Industries Government of Bihar, Patna.
4. The Additional Secretary, Department of Industries, Government of Bihar, Patna.
5. The Director, Industries, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Aaruni Singh, Advocate
For the Respondent/s : Mr. Rakesh Ambastha (AC to AAG7)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 07-12-2022

Heard Mr. Aaruni Singh, learned counsel appearing on behalf of the petitioner and Mr. Rakesh Ambastha, learned AC to AAG 7 for the State.

2. The present writ application has been filed for the following reliefs:

i. For issuance of an appropriate Writ, preferably a Writ in the nature of Writ of Mandamus Commanding the Respondents to count the previous service of the Petitioner for computation of his post-retirement benefits including the Pension and gratuity.

ii. For issuance of a Writ in the nature of Writ of Mandamus commanding the Respondents to consider



the case of the Petitioner for grant of 2nd ACP/MACP after counting the previous service of the Petitioner.

iii. For a direction upon the respondents to forthwith pay the arrears of pension, gratuity and other post retirement benefits accrued on account of above recalculation of service of the Petitioner.

iv. For any other relief for which the Petitioner is found entitled to.

3. At the outset, learned counsel for the petitioner submits that prior to the appointment made on the post of Routine Clerk vide Memo No. 4979 dated 13.09.1995, he had worked for almost 12 years under the Bihar State Leather Industries Development Corporation and another department that has not been considered for the purposes of other benefits.

4. After some arguments, learned counsel for the petitioner submits that for ventilating his grievance, he has also represented before all the concerned respondent authorities, including the Principal Secretary, General Administrative Department, Government of Bihar, Patna (Respondent No. 2), but till date no order has been passed taking into account the past services rendered in different corporation/department.

5. Considering the submissions made on behalf of the parties, the present writ application stands disposed of with a liberty to the petitioner to file a fresh representation before the respondent nos. 2 and 3. If such a representation is filed within a



period of eight weeks from today, the respondent authorities would consider the same and pass a reasoned and speaking order, preferably within a further period of eight weeks.

Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.12.2022.
Transmission Date	NA

