

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17748 of 2017

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Bhagwat Thakur, Son of Late Kusheshwar Thakur, R/o Village- Piar, P.S.-
Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Administrator, Bihar State Agriculture Marketing Board, Patn Bhawan,
Bailey Road, Patna.
3. The Controller, Bihar State Marketing Board, Pant Bhawan, Bailey Road,
Patna.
4. The Agriculture Produnction Commissioner Agriculture Department, Vikash
Bhawan, New Secretariat, Pa
5. The District Magistrate, Samastipur.
6. The Sub-Divisional Magistrate, Sadar, Samastipur.
7. The Sub-Divisional Magistrate, Sub-Division, Shahpur, Patory, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Prakash Poddar, Advocate
For the Respondent/s : Mr. Mithilesh Kumar Singh, AC to SC-15

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 15-03-2023 Heard Mr. Prem Prakash Poddan, learned counsel

appearing on behalf of the petitioner and Mr. Mithilesh Kumar

Singh, learned AC to SC-15 for the State.

2. In the present writ application, the petitioner has
prayed for following relief(s):

**“1. That the petitioner prays for the following
relief through the present writ application:-**

**i. To issue an appropriate writ/writs,
order/orders, direction/directions in the nature of
mandamus commanding the respondents to pay the
following retiral dues/benefit with the interest.**

a. Due amount of General Provident Fund



(GPF)

b. Due amount of Leave Encashment

c. Due amount of gratuity

d. Benefit of A.C.P. with arrears

e. Regular Pension

f. Arrear of Revised Pay Scale

ii. To further issue an appropriate writ/writs/order/ directions in the nature of mandamus commanding the respondents for pension revised sanction with arrear but payment has not been paid to the petitioner together with the interest be paid to the petitioner.

iii. Any other relief or reliefs for which the petitioner is found entitled to.

3. Learned counsel appearing on behalf of the State submitted that Bihar State Agriculture Marketing Board has been dissolved. After dissolution of the Board the State Government has paid the admissible gratuity, leave encashment etc. amounting to Rs. 1,98,228/-. The petitioner has been paid the differential amount of arrears of pay amounting to Rs. 78,722/-. the differential amount gratuity and earned leave pursuant to grant of A.C.P is concerned the same has also been paid through Bank draft dated 18.02.2019 amount of Rs. 30,513/-. He further submitted that there is no provision of grant of pension to the employee of Bihar State Agriculture Marketing Board and as such the claim of the petitioner has been rejected.



4. Considering the submission made on behalf of the respondent State of Bihar and on perusal of the counter affidavit, it appears that the dues amount of GPF, Leave Encashment, differential amount of different of salary as well as gratuity has already been paid to the petitioner. In this regard paragraphs no. 5 to 9 have been referred to the counter affidavit filed on behalf of the respondent State.

5. Considering the aforesaid facts, the present writ petition is disposed of, however, in case the petitioner finds that any of the dues is still pending for payment, he may file representation before the appropriate authority with requisite evidence in support of his claim.

6. With the above observations and directions, the present writ applications stands disposed of.

(Purnendu Singh, J)

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