

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19140 of 2017

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Ajit Kumar Ghosh, Son of Late Bibhuti Bhushan Ghosh, Resident of Village- Jagdishpur, P.O. and P.S.- Jagdishpur, District- Bhagalpur. Presently residing at Gonar Lal Lane, Kharmanchak, D.N. Singh Road, Police Station- Kotwali, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Bhagalpur.
3. The Additional Collector, Revenue, Bhagalpur.
4. The Circle Officer, Shahkund, Bhagalpur.
5. The Clerk, Establishment, Circle Office, Shahkund, Bhagalpur.
6. The Deputy Collector, Land Reforms, Sadar, Bhagalpur.
7. The Senior Deputy Collector, Establishment Section, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha -S.C19
		Mr. Saurabh Kumar, A.C. to S.C.-19.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 27-03-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Mr. Saurabh Kumar, learned A.C. to S.C.-19 seeks permission to file hard copy of the counter affidavit in view of the fact that the affidavit was prepared in the year 2019 during the period of pandemic. The hard copy of the counter affidavit is directed to be kept on record.

This writ petition has been filed to issue direction upon the respondents concerned to make the payment on



account of retiral dues with penal interest and cost of litigation.

Mr. Praveen Kumar, learned counsel appearing on behalf of the petitioner informs this Court that some dues are still required to be paid to the petitioner. He admits that statement has been made in paragraph No.8 and 9 of the counter affidavit that dues under following heads has been paid :-

1. Rs. 1,37,356/- vide Bill No.104/17-18 under Group Insurance.
2. Rs. ,23,920/- vide Bill No.103/17-18 under unutilized leave and
3. Rs. 3,67,525/- vice Bill No.94/17-18 under General Provident Fund.

He further submits that interest for delayed payment has not been paid.

Learned counsel appearing on behalf of the State submits that in view of the fact that the petitioner has admitted that all the admitted dues have been paid, the claim of the petitioner have been redressed in the writ petition, it has become infructuous.

Having considered the fact that the parties have admitted that admissible legal dues payable to the petitioner, have been paid, the present writ petition is disposed at the stage of Admission with a liberty to the petitioner in case he finds that certain dues are still unpaid to him, then the petitioner, if so, advised may file a detailed representation before the appropriate



authority and the authority concerned is directed to dispose of the representation of the petitioner within a period of three weeks from the date of such representation to be filed before him and ensure the payment of all the retiral dues which are still required to be paid to the petitioner within a further period of three weeks. Any order passed on the representation of the petitioner is also required to be communicated to the petitioner within the aforesaid period.

Accordingly, the writ petition is allowed.

(Purnendu Singh, J)

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