

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9808 of 2021

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Umesh Prasad Singh, Son of Late Shiv Shankar Prasad Singh, Resident of Village and P.O.-Faraha, P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-Operative Department, Government of Bihar, Patna.
2. The Multi State Co-Operative Land Development Bank Samiti through its Chairman, Budh Marg, Patna-1.
3. The Chairman, Multi State Co-Operative Land Development Bank Samiti, Budh Marg, Patna-1
4. The Managing Director, Multi State Co-Operative Land Development Bank Samiti, Budh Marg, Patna-1
5. The Branch Manager, Land Development Bank, Warsaliganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Zaki Haider, Adv.
	:	Mr. Aayush Abhishek, Adv.
For the State/s	:	Ramashray Roy, AC to AAG no. 11
For the Bank/s	:	Mr. Rajesh Prasad Chaudhary, Adv.
	:	Mr. Shyamakant Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 09-01-2023 Let the defect(s), if any, be removed within two weeks.

Heard learned counsel for the petitioner, counsel for the State and counsel for Land Development Bank (Respondent No. 1-5).

Learned counsel for petitioner fairly submits that this case is not fully covered under full Bench decision 2014 (PLJR 695). Learned counsel further submits that there are other decisions passed by this court being order dated 14.07.2015

passed in LPA No. 1241 of 2013 and order dated 18.09.2017 passed in LPA No. 1328 of 2015. It has been felt that various writ petitions filed by the individual employees time to time for settling the claim of the employees with regard to settlement of the claim of the employees of the Land Development Bank. It was found in the case of Mr. Kamla Prasad Sharma Vs. State of Bihar and Ors. in CWJC No. 14799 of 2012 that a scheme has been formulated wherein modality has laid down for settling the claim of the employee concern. Admittedly, the present petitioner is also employee of Land Development Bank of Warsliganj Branch who after retirement on 13.12.2017 filed representation before the Managing Director Multi State Co-operative Land Development Bank Samiti through the Branch Manager, Land Development Bank for payment of retiral dues. No decision was taken by the respondent (Managing Director) on the representation of the petitioner. Counsel for the petitioner submits that his application may be disposed off with a direction that his case may be treated as the treatment with the other employees of the Land Development Bank. In the light of order dated 09.04.2013, CWJC No. 14799 of 2012 in case of Kamla Prasad Sharma Vs. State of Bihar which has been upheld by the Hon'ble Supreme Court and the Bank is making payment in

accordance with that. The said order has been subsequently followed in order dated 24.08.2018 passed in CWJC No. 12338 of 2017.

Counsel for Multi State Co-operative Land Development Bank Simiti Ltd. and counsel for State neither filed any affidavit nor in a position to assist the court save and except seek time. In the light of the above discussion, it has been directed that the petitioner shall file fresh representation before the Managing Director(Respondent No. 4) who shall decide the claim of the petitioner in the light of order dated 24.08.2018 passed in CWJC No. 12338 of 2017 and shall also pay the dues in the terms of the process adopted by the Bank as per the aforesaid decision.

With this direction, this writ application stands disposed off.

(Dr. Anshuman, J.)

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