

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11494 of 2021

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Arun Kumar Jha S/o Late Jamun Jha, R/o Village-Thahra Gopalpur, P.S.
Waini O.P. (Pusha Thana), Distt-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Block Development Officer, Simari Bakhtiarpur, Distt.-Saharsa.
5. The Administrator, Bihar State Agriculture Marketing Board (dissolved), Pant Bhawan, Bailey Road, Patna.
6. The Under Secretary, Bihar State Agriculture Marketing Board (dissolved), Pant Bhawan, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.
For the Respondent/s : Mr. Kumar Alok (SC 7)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-01-2023 Heard learned counsel appearing on behalf of
petitioner and learned counsel appearing on behalf of State.

Petitioner is superannuated from the post of Panchayat Secretary in the present writ application, his grievances are with regard to non-payment of post retiral dues including the gratuity, leave encashment, group insurance, arrears of ACP as per revised LPC etc.

Learned counsel appearing on behalf of petitioner submits that the petitioner was initially joined in the Marketing Board. On 01.09.2006 Marketing Board was dissolved but

subsequently vide order dated 02.09.2008 he was absorbed as Panchayat Secretary and retired from the service on 31.01.2011. Counsel for petitioner submits that he has filed representation in the year 2016 for getting his retiral dues but nothing was paid, then he filed the writ application. Vide order dated 15.11.2022 a direction was made for payment of all his admissible dues as well as to file the counter affidavit. In this regard a counter affidavit has been filed and in paragraph no.6 & 7 of the counter affidavit filed by respondent no.2 the legal status of the service of petitioner has been clarified.

In the counter affidavit filed by the Administrative Officer of petitioner namely Block Development Officer, payable amount has been shown and some of the amount has been paid.

Counsel for petitioner seeks permission to ascertain that whether the said amount has been rightly calculated or not ?

In this regard a liberty has been given to the petitioner that he may file representation within 40 days from today and if found anything due against him, he may file representation before his Administrative Officer who shall decide the claim of petitioner within 6 weeks thereafter and at the time of disposing off representation of petitioner all the documents attached in the

present writ application shall also be considered.

Since admissible dues had already been ascertained, then there is no need to continue the present writ application further.

With this observation, the writ application is hereby disposed off.

(Dr. Anshuman, J.)

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