

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11309 of 2021

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Vivekanand Son of Lala Bharat Bhushan Prasad Urmila Bhawan, Ward No.25,. Pankha Toli Near Mahaveer Mandir, Pankha Toli, District-Muzaffarpur 842002.

... .. Petitioner/s

Versus

1. Dakshin Bihar Gramin Bank through its Chairman having its Office at Shri Vishnu Commercial Complex, NH-30, New Bypass, Near Bp Hiighway Services Petrol Pump. Asochak, Patna-800016
2. Board of Directors, Dakshin Bihar Gramion Bank, having its Office at Shri Vishnu Commercial Complex, NH-30, New Bypass, Near BP Highway Services Petrol Pump. Asochak, Patna-800016.
3. The Chairman, Dakshin Bihar Gramion Bank, having its Office at Shri Vishnu Commercial Complex, NH-30, New Bypass, Near BP Highway Services Petrol Pump. Asochak, Patna-800016.
4. The General Manager (HRD/Pension), Dakshin Bihar Gramion Bank, having its Office at Shri Vishnu Commercial Complex, NH-30, New Bypass, Near BP Highway Services Petrol Pump. Asochak, Patna-800016.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raushan, Advocate
		Mr. Pushkar Bharadwaj, Advocate
For the Bank	:	Mr.Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioner and counsel
for the Bank.

Counsel for the petitioner filed the writ petition with
following reliefs:

*(i) Issuance of a direction, order or writ,
including writ in the nature of mandamus
commanding the concerned respondent authorities
under the Dakshin Bihar Gramin Bank (hereinafter*

referred to as “the Bank”) for payment of difference of salary as per his increment from January, 2010 till the retirement of the petitioner in the year 2016 which has not been paid to the petitioner;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities for payment of difference of salary after fitment of basic pay because the petitioner was promoted against the post of Manager in Scale-II in the year 2015 and difference of salary as per his entitlement has not been paid till date;

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Bank for re-fixation of pension after fixing the salary as admissible against the post of Manager in Scale-II;

(iv) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities

to release the arrears of pension which has not been paid to the petitioner after rectifying the same;

(v) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Bank to release the gratuity and leave encashment of the petitioner which has not been released and communicated to the petitioner pursuant to his retirement;

(vi) Any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.

Admittedly petitioner is person who was joined the service of Gramin Bank and retired from the post of Manager Scale-II w.e.f. 30.06.2016.

Vide order dated 18.11.2022 a direction was made to the Bank to file the counter affidavit but after lapse of four weeks, no counter has been received.

Counsel for Bank submits that the calculation of admissible dues is under process of payment but there are certain dues found against the petitioner. Since petitioner is a

retired employee, therefore, decision on the admissible dues should be taken at the earliest.

In the above said background, the petitioner is directed to file a fresh representation within four weeks from today before the General Manager, Dakshin Bihar Gramin Bank and he shall pass a reasoned order discussing on every item mentioned in the present order, to the petitioner and if found something against him, he shall provide an opportunity of hearing to the petitioner and in his presence G.M., D.B.G.B. shall pass a reasoned order. G.M., D.B.G.B. shall do all needful to pay all his admissible dues within 8 weeks from the date of filing the representation.

With this direction, the present writ application is disposed off.

(Dr. Anshuman, J.)

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