

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.270 of 2013

In

Civil Writ Jurisdiction Case No.1333 of 2008

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1. Bihar Fruit and Vegetable Development Corporation Limited, Uddyan Nursery, Old Secretariat, P.S.- Sachivalaya, Patna through its Managing Director.
 2. The Managing Director, Bihar Fruits And Vegetables Development Corporation Limited, Uddyan Nursery, Old Secretariat, P.S.- Sachivalaya, Patna through its Managing Director.
 3. The Agricultural Production Commissioner, Chairman, Board Of Directors, Bihar Fruits And Vegetable Development Corporation Limited, Vikas Bhawan, Agriculture Department, New Secretariat Building, Bailey Road, Patna

... .. Appellant/s

Versus

1. The State Of Bihar through the Agricultural Production Commissioner, Agriculture Department, Government of Bihar, Patna
2. Shivdeo Chaudhary, Son Of Sri Yamuna Chaudhary, Resident Of Chandra Vihar Colony, At And P.O. Ashiyana Digha Road, P.S. Digha, District - Patna
3. Nakul Chandra Pandit Son Of Gahan Pandit Resident Of Village - Vasarriya, P.O. And P.S. - Seemra, Bampastown, Devghat, District - Devghar
4. Nageshwar Prasad Yadav Son Of Late Dhanushdhari Pd. Yadav Resident Of Village And P.O. Sarsai, P.S. Mahua, Bhaya - Sarai, District - Vaishali
5. Ravi Bhushan Pandey Son Of Late Chandrika Pandey Resident Of Village Pandey Nagar, P.O. And P.S. Dharahara, District - Vaishali
6. Shatrudhan Singh Son Of Late Ram Bachchan Singh Resident Of Village Ghoswar, P.O. And P.S. - Raguli, District - Vaishali
7. Rajeshwar Bhagat Son Of Shree Binda Bhagat Resident Of Village - Chouti Digdhi Khurd, P.O. And P.S. - Hajipur, District - Vaishali
8. Laxmi Kant Jha Son Of Late Lalan Jha Resident Of Village - Sukhi Seemra, P.O. Jaithapur, P.S. - Sumha, District Purvi Champaran
9. Shatrudhan Paswan Son Of Shri Shukhdeo Paswan Resident Of Village - Chowl Dhanauti, Po And P.S - Hajipur, District Vaishali
10. Chandrika Ravi Das S/O Dabav Ravi Das Village - Pipra, P.O. Jaddumri, P.S. Pipra, District - Patna
11. Dashrath Prasad Singh Son Of Devki Singh Village - Niyapur, P.O. And P.S. Fatuah, District - Patna
12. Vijay Yadav S/O Ram Laxman Singh Village - Budhu Chak, P.O. And P.S. - Fatuah, District - Patna
13. Rajendra Paswan S/O Ram Path Paswan Village Ratanpur, P.O. Bhatheshwar, Via And P.S. - Dholi Sakra, District - Muzaffarpur



- 14. Raja Ram Yadav S/O Charitar Roy Village Makshoodpur, P.O. And P.S. - Fatuah, District - Patna
- 15. Bhaso Prasad Singh S/O Shiva Prasad Singh Village And P.O. - Khakhi, Via And P.S. - Warsaliganj, District - Nawada
- 16. Baleshwar Bhagat Son Of Bhikan Bhagat Resident Of Village - Chauti Digdhi Khurd, P.O. And P.S. - Hajipur, District - Vaishali
- 17. Amresh Kumar Son Of Shree Raj Ballabh Prasad Singh Resident Of Village And P.O. Jaintipur, P.S. Lalganj, District - Vaishali
- 18. Md. Ibrahim Son Of Late Neezamuddin Resident Of Sarri Gali, Mirshikar Toil, P.O. And P.S. Gulzarbagh, Patna -7, District - Patna
- 19. Kailash Paswan Son Of Late Jagat Paswan Resident Of Village And P.O. - Shahduilapur, P.S. Lalganj, District Vaishali
- 20. Md. Jalil Son Of Md. Gafoor Resident Of Village - Maricha, P.O. - Sarai, P.S. Sarai, District - Vaishali
- 21. Naresh Kumar Son Of Shree Narayan Singh Resident Of Village - Kurkuri, P.O. And P.S. Phulwarisharif, District - Patna
- 22. Shiv Dayal Saw Son Of Shree Hanooman Sah Resident Of Village - Tershi, P.O. - Ratnakar, P.S. Raghupur, District Vaishali
- 23. Awadhesh Prasad Singh Son Of Late Nayan Singh Resident Of P.O. - Ram Nagar, Labhar Chak, P.S. Ramdiri, District Begusarai

... .. Respondent/s

with
Letters Patent Appeal No. 1727 of 2015
In
Civil Writ Jurisdiction Case No.2439 of 2008

Bihar Fruit And Vegetable Development Corporation Ltd. and Ors

... .. Appellant/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :
(In Letters Patent Appeal No. 270 of 2013)
For the Appellant/s : Mr. Nalin Vilochan Tiwary, Advocate
Mr. Sourendra Pandey, Advocate
For the State : Mr. Kamlesh Kishore, AC to SC-12
For the Respondents : Mr. Alok Kumar Sinha, Advocate
Mr. Indrajeet Bhusan, Advocate
Mr. Manish Kumar, Advocate
(In Letters Patent Appeal No. 1727 of 2015)
For the Appellant/s : Mr. Sourendra Pandey, Advocate
For the State : Mr. Kamlesh Pd. Gupta, GP-10
Mr. Anwar Karim, AC to GP-10



CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

33 24-04-2023 Pursuant to our order dated 10.04.2023, each of the
contesting respondents filed personal affidavits. Para 3 of the
affidavit is common.

2. Learned counsel for the appellant submitted that in
para 3 the word used is salary and not compensation but in order
to give quietus to the litigation, learned counsel for the
respondents submitted that it could be treated as compensation
instead of salary. Such statement is taken on record.

3. Registry is hereby directed to return a sum of Rs.
1,53,31,526/- (One Crore Fifty Three Lakhs Thirty One
Thousand Five Hundred Twenty Six only)/- which has been
deposited by the appellant-corporation in the Registry pursuant
to the earlier orders of this Court be released in favour of the
appellant- Bihar Fruit And Vegetable Development Corporation
Limited so as to enable the appellant to disburse the same to
each of the contesting respondents with reference to amount
mentioned in para 3 of the affidavit.

4. Registry is hereby directed to make necessary
arrangement for refund through demand draft of Rs.



1,53,31,526/- (One Crore Fifty Three Lakhs Thirty One Thousand Five Hundred Twenty Six only)/-. If the Registry had deposited in fixed deposit and earned interest in that event, along with interest the same shall be calculated and returned to the appellant -Bihar Fruit And Vegetable Development Corporation Limited within a period of six weeks from today.

5. On receipt of Rs. 1,53,31,526/- (One Crore Fifty Three Lakhs Thirty One Thousand Five Hundred Twenty Six only)/- the appellant- Bihar Fruit And Vegetable Development Corporation Limited shall be disbursed to each individual respondents' amount mentioned in para-3 of the respective affidavits within a period of four weeks from the date of receipt of the aforementioned amount.

6. In view of these facts and circumstances, LPAs stand disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

DKS/-
Balmukund/-

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