

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14602 of 2015

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Shashi Bhushan Prasad Son of Late Kedar Prasad resident of village -
Bhagwanpur Hat, Police Station - Bhagwanpur Hat, District - Siwan, retired
While Working as District Manager, State Food Corporation, Motihari,
District East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Bihar, Patna.
2. The State of Jharkhand through Chief Secretary, Jharkhand, Ranchi
3. The Bihar State Food and Civil Supplies Corporation Limited, Sone Bhawan
5th Floor Beerchand Patel Path, Patna through its Managing Director
4. The Managing Director, the Bihar State Food and Civil Supplies
Corporation Limited, Sone Bhawan 5th Floor Beerchand Patel Path, Patna
5. The Senior Regional Officer, Employees Provident Fund Organization
Ministry of Labour , Govt. of Surya Complex, Laxmi Chowk, Muzaffarpur
6. The District Manager, the Bihar State Food and Civil Supplies Corporation
Limited, Motihari, District-East Champaran
7. The District Manager, Bihar State Food and Civil Supplies Corporation
Limited, Patna
8. The District Manager, Bihar State Food and Civil Supplies Corporation
Limited, Dhanbad
9. The District Manager, Bihar State Food and Civil Supplies Corporation
Limited, Giridih

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar Mishra, Adv.
For the Respondent/s	:	Mr.Kumar Manglam, AC to SC-24
For the BSFC	:	Mr. Shailendra Kumar Singh, Adv.
		Mr. Utkars Kumar Utpal, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-08-2023 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For issuance of an appropriate writ in the
nature of mandamus for commanding and directing
the respondent authorities concerned to refund the
amount which has been recovered illegally from the



salary of the petitioner and interest claim thereupon may be quashed and pay the interest on recovered amount be paid to the petitioner.

(ii). For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to pay the retiral dues to the petitioner i.e. amount of leave encashment of 240 days, amount of gratuity, amount of group insurance new and old, amount of interest of General Provident fund, amount of differences of 5th pay revision, amount of annual increment of six years with admissible statutory interest as well as appropriate penal interest.

(iii). For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to pay the appropriate compensation for mental agony caused to the petitioner for non payment of legitimate dues and cost of the writ proceeding.”

2. At the outset, the learned counsel for the petitioner admits that the present writ petition is premature, inasmuch as Annexure-2, which has been challenged, is merely a memo of charge dated 23.12.2002. Hence, it is submitted that the petitioner be granted liberty to approach this Court as and when any order of recovery / punishment is passed against the petitioner. Liberty, so sought, is granted.



3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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