

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16085 of 2021

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Dharmendra Kumar Son of Shio Nandan Sinha, resident of Mohalla Patel Nager, P.O. and P.S.- Shastrinager, District - Patna 23.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supplies Corporation, Khadya Bhawan, Daroga Rai Path, Patna - 800001.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation, Ltd. Khadya Bhawan, Daroga Rai Path, Patna - 1.
3. The Chief General Manager, Bihar State Food and Civil Supplies Corporation, Khadya Bhawan, Daroga Rai Path, Patna - 800001.
4. The Chief of Administration, Bihar State Food and Civil Supply Corporation, Ltd. Khadya Bhawan, Daroga Rai Path, Patna -1.
5. The District Manager, Bihar State Food and Civil Supply Corporation, Munger, District - Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Narayan Rai, Adv.
For the B.S.F.C	:	Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-01-2023 Heard learned counsel for the petitioner and counsel for the B.S.F.C.

Counsel for the petitioner submits that during pendency of the writ petition, Gratuity amount of Rs. 3,50,000/- has been paid without interest. He also submits that the arrears of salary towards 6th and 7th pay revision has been calculated. The amount of 6th and 7th pay revision has been paid in the account of the petitioner. But Leave Encashment amount has not been paid due to the order annexed in Annexure – I.

Counsel for the State submits that admissible dues has

been paid therefore this case may be disposed off.

Counsel for the petitioner submits that no statutory interest has been paid on the Gratuity amount. He submits that the said order by virtue of which the Leave Encashment has been stopped, was challenged in Statutory Appeal. According to his instruction, it was dismissed. So, he seeks liberty from this Court to challenge the said Appellate Order dated 27.12.2022, since it creates a fresh cause of action.

In this view of the matter, the present writ petition is **disposed off**, with the liberty to the petitioner that he may seek remedy against the said order passed by Appellate Authority as well as he has liberty to make a representation demanding statutory interest from the authority concerned i.e. respondent no. 3.

(Dr. Anshuman, J.)

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