

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2213 of 2021

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Narendra Prasad Singh, Son of Late Pavitra Singh Resident of Village-
Mohalla-Goraul, Police Station- Chhabilapur (Rajgir), District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Energy Department, Govt. of Bihar, Patna.
2. The Secretary, Energy Department, Govt. of Bihar, Patna.
3. The Chairman-cum-Managing Director, Bihar Renewable Energy Development Agency (BREDA), Sone Bhawan, Birchand Patel Path, Patna.
4. The Special Secretary Energy Department-cum-Director, Bihar Renewable Energy Development Agency (BREDA), Sone Bhawan, Birchand Patel Path, Patna
5. The Director General, Provident Fund, Bihar, Patna
6. The District Provident Fund Officer Patna.
7. The Accountant General, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Advocate. Mr. Rajeev Kumar, Advocate.
For the State	:	Mr. Suresh Kumar, AC to GP-1.
For the BREDA	:	Mr. Prasoon Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 10-10-2023

Heard Mr. Jitendra Prasad Singh, learned counsel
along with Mr. Rajeev Kumar, learned counsel appearing on
behalf of the petitioner; Mr. Suresh Kumar, learned AC to GP-1
for the State and Mr. Prasoon Sinha, learned counsel for the
Bihar Renewable Energy Development Agency (hereinafter
referred to as “BREDA”), Patna.

2. Learned counsel appearing on behalf of the
BREDA submits that the grievance of the petitioner as prayed



for in the present writ petition can be redressed only after the BREDA receives required fund from the State Government.

3. The Additional Chief Secretary, Energy Department, Bihar under such circumstances is directed to make available the amount for which the petitioner is entitled in accordance with law to the BREDA so that the petitioner may not further suffer. It is made clear that the petitioner had retired on 30.09.2015 and the payment has not been made because both the respondents i.e. the State Government and the BREDA are shifting their liability on each other, but the reason remains that the funds were not made available which is required to be paid by the State Government.

4. The relief as sought for in the present writ petition is directed to be redressed by the State-respondents as well as BREDA in terms of the direction as contained in this order within a period of six weeks from the date of production of a copy of this order. The Additional Chief Secretary, Energy Department, Bihar as well as the Chairman, BREDA are directed to ensure that the payment is made forthwith without making any allegation on each other along with the statutory interest on account of delay in making payment from the date the petitioner is entitled till the date of payment. In case of



failure, the petitioner is at liberty to take appropriate legal action against the authorities who delays in making payment which was required to be paid long back in the year 2016.

5. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	12.10.2023
Transmission Date	N.A.

