

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2165 of 2019

1. Shaukat Ali and Ors Son of Late Saudagar Ali, Resident of Village and P.O. and P.S.- Lauriya (Near Mill Road House of Pandey Jee), Bhaya Lauriya, P.S.- Lauriya, Dist.- West Champaran, Pin No.- 845453.
2. Nandlal Ahir, Son of Kedar Ahir, Resident of Village- Padraun, P.O. and P.S.- Lauriya, Bhaya Lauriya, District- West Champaran.
3. Mohammad Anishul, Son of Khedu Devan, Resident of Village- Padrauna, P.O.- Lauriya, P.S.- Lauriya, District- West Champaran.
4. Jitendra Thakur, Son of Late Achhuta Thakur, Resident of Village- Belwa, P.O. and P.S.- Lauriya, District- West Champaran.
5. Md. Neyaz, Son of Md. Reyazul Haque, Resident of Village-Kishun Bagh, Khalwa Tola, Ward No. 3, Bettiah, P.O.- Bettiah, P.S.- Bettiah Town, District- West Champaran.
6. Rajendra Pandey, Son of Late Chitrakut Pandey, Resident of Village- Mishra Tola Lauriya, P.O.- Lauriya, P.S.- Lauriya, District- West Champaran.
7. Brahmha Turha, Son of Late Buni Turaha, Resident of Village- Shera Fulwariya, P.O.- Sahadatpur, P.S.- Lauriya, District- West Champaran.
8. Kishun Prasad, Son of Ayodhya Prasad, Resident of Ward No. 03, J.P. Nagar Lauriya, P.O. and P.S.- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary, Department of Sugar Cane Development, Govt. of Bihar, Patna.
3. The Deputy Secretary, Industry (Cane Development Department), Govt. of Bihar, Patna.
4. S.B.I. Caps, Financial Advisor, Department of Sugarcane Development, Govt. of Bihar, Patna.
5. The Cane Commissioner, Case Industries Department, Govt. of Bihar, Patna.
6. The Collector, West Champaran, Bettiah.
7. The Managing Director, Bihar State Sugar Corporation Ltd. New Secretariat, Patna.
8. Deputy Labour Commissioner, Office of the Deputy Labour Commissioner, Muzaffarpur.
9. Excise Superintendent, West Champaran, Bettiah.
10. Magistrate In-charge-cum-Block Agriculture Officer, Lauriya Distillery, District- West Champaran.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr.Anshuman Singh
For the Respondent/s : Mr.Kinkar Kumar (Sc9)

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

8 06-05-2024 This Court has passed order dated 06.02.2024 which
reads as follows:-

Learned counsel appearing on behalf of the respondents has stated that the exit policy has already been put in place pursuant to the directions of this Hon'ble Court in L.PA. No. 70 of 2014 and analogous case dated 08.03.2018 and, therefore, the prayer in the present writ petition has become infructuous.

2. However, the learned counsel appearing on behalf of the petitioner has drawn the attention of the court to the supplementary counter affidavit filed by the Respondent Nos. 1, 2, 3 and 5 more specifically para No. 6 which states that for the implementation of the notified Exit Settlement Scheme, the funds have been directed to be made available from Bihar contingency fund and that the department is taking necessary steps for withdrawal of the fund from the contingency fund. As soon as funds are made available, it could be released for payment as per the approved Exit Settlement Scheme.

3. Learned counsel has stated that without specifying any time limit, the above averment made in the supplementary counter affidavit is of no use unless and until sufficient



funds are made available.

4. Learned counsel for the respondents has stated that the calculation for settling the dues of the workers under the Exit Settlement Scheme is under process and as soon as the process is completed the authorities will make the payment. Further it is stated that the factory was closed approximately 27-28 years back and the authorities are trying to procure the relevant records so as to complete the process and therefore sought some more time.

5. Having regard to the above, the matter is adjourned to 20.02.2024, to enable the learned counsel appearing on behalf of the respondents State to get necessary instructions as to when the entire process of verification and payment of the amounts will be completed under the Exit Settlement Scheme.

2. In pursuance to the direction of this Court the State Cabinet has filed the supplementary affidavit on 19.02.2024. The counter discloses that the State Cabinet vide its record memo No. 1143 dated 16.10.2023 approved the Exit Settlement Scheme for the workers of Lauria Distillery in compliance of the order dated 08.03.2018 passed in L.P.A. No. 70 of 2014 affirmed by the Hon'ble Apex Court in SLP (Civil) No. 016344 of 2018 (The State of Bihar vs. Sushil Kumar Srivastava and others) and SLP (Civil) No. 016711 of 2018 (The State of Bihar



vs. Lal Babu Mishra and others).

3. In view of the aforesaid approval by the State Cabinet, an amount of Rs. 6,50,00,000/- (Six crore and Fifty Lacs) has been sanctioned vide sanction Order No. 302 dated 01.02.2024, which was sent to the officer of the Accountant General, Bihar vide Annexure R/A.

4. The counter also reveals that disbursement of the said sanctioned amount of Rs. 6,50,00,000/- amongst the workers of Lauria Distillery under the approved Exit Settlement Scheme, the District Magistrate, West Champaran, Bettiah has been appointed the Drawing and Disbursing Officer. The necessary standard operating procedure for disbursement of sanctioned amount under the Exit Settlement Scheme has been communicated to the District Magistrate, West Champaran, Bettiah vide the Department Letter contained in Memo No. 10 dated 01.02.2024, vide Annexure R/B.

5. In furtherance of the disbursement of the sanctioned amount, a public notice shall be advertised in the leading newspapers and thereafter the workers of the Lauria Distillery will have to submit the requisite documents as per the advertisement.

6. Thereafter, the said documents shall be verified by



the officer and only after verification, if the same is found correct, the payment shall be made directly in the bank account of the beneficiary/worker through RTGS.

7. The counter further disclosed that four months time may be granted to comply the order of this Court.

8. Heard learned counsel for the petitioner as well as learned counsel for the respondents.

9. Learned counsel for the petitioner also accepted that four months time may be granted to the disbursement of the amount in view of the above said observations writ petition disposed of and directing the respondents to pay the disbursement amount to the petitioner within four months.

10. With the aforesaid observations, the writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

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