

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13081 of 2017

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Bimal Kumar Bishnoi S/o-Late Sundar Lal Bishnoi, Resident of Flat No. 401,
Abhishek Plaza, Exhibition Road, P.s.-Gandhi Maidan, Distt.-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary, Department of Energy, Govt. of Bihar, Patna.
3. The Bihar Renewable Energy Development Agency, through its Director,
Sone Bhawan, Birchand Patel Path, Patna.
4. The Director, Bihar Renewable Energy Development Agency, Sone Bhawan,
Birchand Patel Path, Patna.
5. The State of Bihar Sugar Corporation Ltd, Patna, through its Managing
Director.
6. The Managing Director, Bihar State Sugar Corporation, Ltd. Udyog
Bhawan, Purvi Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suresh Mishra, Adv.
For the Resp-State	:	Mr. Rajiv Kumar Sinha
For the Resp Nos.5&6	:	Mr. Gyan Shankar, Adv.
For the BREDA	:	Mr. Prasoon Sinha, Adv.
		Mr. Amarnath Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

14 02-02-2024 Heard Mr. Suresh Mishra, learned counsel for the

petitioner; Mr. Gyan Shankar, learned counsel for the Bihar

State Sugar Corporation; Mr. Rajiv Kumar Sinha, learned

counsel for the State and the learned counsel for the BREDA.

2. The petitioner by filing the present writ petition

seeks a direction upon the respondents to ensure payment of all

his due retiral benefits along with the statutory interest thereon.

3. A counter affidavit has been filed on behalf of the



respondents no. 5 and 6.

4. It is submitted that the petitioner was an employee of S.K.G. Sugar Limited, which was taken over by the State of Bihar by the Bihar Sugar Undertaking Acquisition Act, 1985 and transferred to the Bihar State Sugar Corporation Ltd. The salary and other allowances of the employees of the Sugar Factories are governed by the recommendations of the Central Sugar Wage Board and Factories Act, 1948 and other labour laws also.

5. So far as the period for which the petitioner rendered his services in the Bihar State Sugar Corporation from 27.10.1985 to 05.06.1998 is concerned, the petitioner has already been paid all his pre and post retiral dues. He further submitted that thereafter the petitioner was sent on deputation to BRED A, where he joined on 06.06.1998 and continued there till his retirement. For the period rendered under the BRED A, the petitioner has also been paid the admissible amount under the leave encashment and gratuity, apart from the interest over the gratuity amount, which have duly been mentioned in paragraphs-8 to 12 of the counter affidavit filed on behalf of the respondents no. 5 and 6

6. At this stage, learned counsel for the petitioner,



submitted that though a counter affidavit has been filed but the same is required to be verified at the ends of the petitioner but because of his best efforts, he could not contact with his client and, as such, he is unable to dispute at present.

7. Considering the submissions advanced and the averments made in the counter affidavit filed on behalf of the respondents no. 5 and 6, the present writ petition stands disposed of.

8. Needless to observe that if the petitioner is not satisfied with the amount, which has been paid to him, he shall always be at liberty to approach before the competent authority for payment of his disputed amount, if any.

(Harish Kumar, J)

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