

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3831 of 2022

Chanarik Baitha son of Late Sukhlal Baitha, resident of Mohalla-Shipara East,
P.S.-Beur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Main Secretariat, Patna.
2. Director, Directorate of Integrated Child Development Services (ICDS), Social Welfare Department, Government of Bihar, Indira Bhawan, 2nd Floor, Ram Charitra Singh Path, Boring Canal Road, Patna.
3. District Magistrate, Vaishali at Hajipur.
4. District Programme Officer (ICDS), Vaishali.
5. Child Development Project Officer, Chehra Kalan, Vaishali.
6. Additional Chief Secretary, Finance Department Government of Bihar, Main Secretariat, Patna.
7. Accountant General, Bihar, Beer Chand Patel Path, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kishore Kr. Thakur, Advocate Mr.Braj Kishore Singh, Advocate
For the Respondent/s	:	Smt. Kumari Amrita (Gp3)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-01-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For a direction to the respondents to make payment of balance amount of gratuity to the petitioner by counting the entire length of his service rendered in his parent organization, i.e., Bihar State Construction corporation, in the light of the policy decision of respondent state circulated by the resolution contained in Memo no. 4691 dated 14.09.2020, issued by the Finance department under the signature of



its Secretary (Expenditure) as well as in terms with the provisions contained in section 2-A and Section-4 of gratuity Act.

(ii) Further prayer is for a direction to the respondents to re-fix his pension in the higher pay scale after grating him the benefit of 1st, 2nd and 3rd ACP/MACP with due dates in terms of the said policy decision of the respondent state circulated by the resolution contained in Memo no. 4691 dated 14.09.2020, reiterated by the resolution contained in Memo no- 631 dated 29.01.2022 issued under the signature of the Secretary (Resources) of the Finance department.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.02 i.e. the Director, Directorate of Integrated Child Development Services (ICDS), Social Welfare Department, Government of Bihar, Patna. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the the Director, Directorate of Integrated Child Development Services (ICDS), Social Welfare Department, Government of Bihar, Patna within a period of two weeks from today, the same shall be considered,



in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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