

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9866 of 2020

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Indra Bhushan Sinha @ Indu Bhushan Sinha W/o Late Tareshwar Prasad
resident of Mohalla- House No.- 100 Shivpuri, Beur Road, Anisabad, Patna,
P.S.- Gardanibagh, P.O.- Anisabad, District- Patna, Bihar- 800002.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Bihar, Patna.
2. The Bihar State Food and Civil Supplies Corporation Limited, through its Managing Director, Patna.
3. The District Manager, Food and Civil Supplies Corporation Limited, Patna.
4. The General Manager, Administration, Bihar State Food and Civil Supply Corporation Limited, Patna, Bihar.
5. The Chief of Finance, Bihar State Food and Civil Supply Corporation, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar Sinha, Adv.
For the Respondent/s	:	Mr. Vishwambhar Prasad, AC to AAG-5
For the BSFC	:	Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

11 19-01-2024 Heard Mr. Shashank Shekhar Sinha, learned counsel

for the petitioner; Mr. Vishwambhar Prasad, learned counsel for

the State and Mr. Shailendra Kumar Singh, learned counsel for

the BSFC.

2. The writ petition has substantially been filed for a

direction upon the respondent-authorities to ensure payment of

entire gratuity and leave encashment to the petitioner with penal

interest till the date of payment and also to ensure payment of

arrears of due salary for certain period.



3. A counter affidavit has been filed on behalf of the respondent/BSFC, with a categorical assertion that the petitioner has already been sanctioned his retirement benefit(s) vide Memo No. 1322 dated 20.08.2020 and, subsequently, an amount of Rs. 10,82,115/- has been credited in the account of the petitioner. It is further submitted that so far the grievance of the petitioner with regard to the enhanced gratuity is concerned, the same is not admissible to the petitioner, as the Board of Director has taken a conscious decision to extend the gratuity only to the tune of Rs. 3.50 lacs at maximum.

4. At this juncture, learned counsel for the petitioner submits that since the sole petitioner has already died on 14.12.2022, as per his instruction and despite the information given to the legal heirs of the sole petitioner, none has turned up.

5. In view of the submissions advanced on behalf of the parties, the present writ petition stands disposed of.

6. Needless to observe that in case, the legal heirs of the sole petitioner (since died) has any grievance, he/she shall be at liberty to ventilate it in accordance with law.

(Harish Kumar, J)

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