IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1185 of 2018
In
Civil Writ Jurisdiction Case No.17232 of 2016

Birendra Prasad Keshri Retired Officer Scale- i BIhar Gramin Bank, Begusarai, Son of Late Durga Prasad Keshri, Permanent Resident of Barbigha, Near Chaiti Durga Sthan, Kaura Maidan, Police Station-Kasim Bazar, District-Munger.

... ... Appellant/s

Versus

1. The Chairman, Bihar Gramin Bank and Ors
2. The General Manager Personnel and Administration, Bihar Gramin Bank, Head Office, North HFC Gate N
3. Senior Manager Personnel, Bihar Gramin Bank, Head Office, North HFC Gate NH-31, District-Begusarai
4. THe Regional Manager, Bihar Gramin Bank, Traffic Chowk, District-Begusarai.
5. The Branch Manager, Bihar Gramin Bank, Branch Office-Barbigha, District-Shekhpura.

... ... Respondent/s

Appearance :
For the Appellant/s : Mr.Dronacharya
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)
Date : 20-06-2024

The appellant has assailed the order of the learned single judge dated 20.07.2018 passed in C.W.J.C No. 17232 of 2016. The appellant grievance is relating to disbursement of leave encashment for about 240 days. During pendency of C.W.J.C No. 17232 of 2016. The concerned respondent must have disbursed leave encashment amount with reference to 210 days while deducting 30 days amount with reference to certain dues. The same has been taken note of by the learned single judge and proceeded to dispose of in the absence of representation on behalf of the petitioner. If there is any such disputed issue in that event, the appellant had remedy of filing civil review petition and not L.P.A. Scope of L.P.A is limited to the extent what is error committed by the learned single judge. Prima facie there is no error committed by the learned single judge. Further we have noticed that there is no challenge to the deduction of 30 days amount (leave encashment) and in the absence of same, such issue cannot be adjudicated in L.P.A proceedings. Accordingly, the present L.P.A stands disposed of as not maintainable. Disposal of the C.W.J.C No. 17232 of 2016 read with the present L.P.A would not be hurdled for the appellant to agitate issue relating to deduction of 30 days of amount (leave encashment) before the concerned authority or before appropriate forum.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

krishnakant/-

AFR/NAFR	NAFR
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