

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15540 of 2021

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Nagendra Bhagat, Son of Late Sukeshwar Bhagat, resident of Flat No. 301,
Ambalika Complex, A.G. Colony main road, P.S.-Shastri Nagar, District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Bihar,
Patna.
3. The Additional Secretary, Road Construction Department, Bihar, Patna.
4. The Joint Secretary, Road Construction Department, Bihar, Patna.
5. The Deputy Secretary (Management Cell), Road Construction Department,
Bihar, Patna.
6. The Principal Accountant General of Bihar (A and E), Veer Chand Patel
Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhu Nath Pathak
For the Respondent/s : Mr.Amit Prakash (Ga13)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2024 The present writ petition has been filed seeking the
following relief:-

“1. That by this application, the petitioner is
invoking the writ jurisdiction of this Hon'ble
Court in the nature of Writ of Mandamus for
directing the Respondents to pay 90% gratuity,
leave encashment for 208 days. However, 10%
pension has been withheld on account of
pendency of departmental proceeding and
criminal case but no gratuity and leave
encashment for 208 days has been paid to the
petitioner which is contrary to the settled



principle laid down by this Hon'ble Court in Full Bench judgment in Arvind Kumar Singh Vs the State of Bihar reported in 2018 PLJR-2, page-933 and also the judgment of Hon'ble Supreme Court in Dr. Heera Lal Singh vs. the State of Bihar (CA No. 1677 of 2020).”

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the Respondents authorities for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. The present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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