

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4098 of 2021

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Ajay Kumar, Son of Late Sri Chandra Ram, Resident of Village-Budhwara,
P.S. Govindpur, District-Nawada.

... .. Petitioner/s

Versus

1. The Bihar State Electronics Development Corporation, Beltron Bhawan,
Shastri Nagar, Patna.
2. Managing Director, Bihar State Electronics Development Corporation,
Beltron Bhawan, Shastri Nagar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijoy Nandan Sahay, Advocate
For the Respondent/s	:	Mr. Girijish Kumar, Advocate
		Mr. Akash Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

10 21-10-2024 Heard Mr. Vijoy Nandan Sahay, learned Advocate for
the petitioner and Mr. Girish Kumar, learned Advocate for the
Corporation.

2. The petitioner who had worked in the capacity of
the Commercial Accountant for the period between 03.11.1988
to December 2010 in the services of the Corporation on being
aggrieved by the inaction of the Corporation and its officials in
not according the admissible due, as well as the arrears of salary,
approached before this Court seeking a direction upon the
respondent no. 2 to ensure the payment of arrears of salary, as
well as gratuity, leave encashment for the period September,
1998 till April, 2007 and allowances due to performance of



duties as Accounts Officer, for the period 11.06.1996 to 16.04.2007.

3. Learned Advocate for the petitioner and the Corporation fairly contended that the issue with regard to the payment of arrears of salary and other dues of the employees of the Corporation travelled upto the Hon'ble Apex Court in the case of ***Bihar State Ardh Sarkari Arajpati Karamchari Maha Sangh Through its General Secretary Sh. Awadh Kishore Sharma & Ors. vs. State of Bihar & Ors.*** in Writ Petition (Civil) No. 932 of 2022 wherein the Hon'ble Supreme Court taking note of the various aspect of the matter has been pleased to direct both the State Governments of Bihar and Jharkhand to expedite the process of identification, verification and quantification of dues of the employees and ensure that the same is cleared at the earliest.

4. This Court has heard the submissions advanced on behalf of learned Advocate for the parties and also took note of the fact that the issue with regard to the payment of arrears of salary and other dues are pending before the Hon'ble Apex Court in the case of ***Bihar State Ardh Sarkari Arajpati Karamchari Maha Sangh supra*** wherein the Hon'ble Apex Court has directed as follows:-

“13: In the above facts and circumstances, following directions



are issued:

(i) With respect to Bihar State Construction Corporation Limited. both the State Governments are directed to expedite the process of identification, verification and quantification of dues of the employees and ensure that the same is cleared at the earliest, in any case, within a period of two months, failing which the Court will be compelled to take coercive measures against the defaulting State Governments.

(ii) The State of Bihar is directed not to await the outcome of the liquidation proceedings of Bihar State Construction Corporation Limited and will proceed to clear all the outstanding liability of the employees of the said corporation as directed above.

(iii) Although substantial liability of BSIDC in the State of Jharkhand has been discharged by disbursement of Rs.42.78 Crores by the High Court as noted above but there still remains some liability to be cleared which may be done without any delay.

(iv) However, there is substantial liability due with respect to the employees located within the State of Bihar unit of BSIDC. The State Government of Bihar shall clear all such liabilities of the employees located in Bihar within a period of two months and submit a compliance report by the next date.

(v) The respective State Governments



are directed to ensure payment of compensation to the families of the 329 deceased employees within a period of two months and submit a compliance report on or before the next date, failing which coercive measures may be taken against the respective State Governments.”

5. In view of the aforesaid fact that the Hon’ble Apex Court has already directed the respondent States to ensure the payment of admissible dues to the employees of the Corporation, the present writ petition stands disposed off with an expectation that the respective State shall ensure the compliance of the order of the Hon’ble Apex Court by making payment of admissible dues to the petitioner.

6. With the aforesaid observation, the writ petition stands disposed off.

(Harish Kumar, J)

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