

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13194 of 2024

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Shashi Bhushan Sharma S/o Ram Chandra Thakur, Working as Head Time Keeper at Bihar State Sugar Corporation Ltd. Unit-Samastipur, P.O., P.S. and District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Cane Industries, Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Cane Industries, Govt. of Bihar, New Secretariat, Patna.
3. Bihar State Sugar Corporation Ltd. through its Managing Director, Cane Industries Department, Vikas Bhawan, New Secretariat, Patna.
4. Managing Director, Bihar State Sugar Corporation Ltd. Cane Industries Department, Vikas Bhawan, New Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh, Adv.
For the Sugar Corp.	:	Mr. Gyan Shankar, Adv.
For the State	:	Mr. Raghwanand, GA-11
		Mr. AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-09-2024 Heard learned counsel for the petitioner, learned counsel for the Sugar Corporation and learned counsel for the State.

2. The present writ application has been filed for setting aside the order passed by the Managing Director, Bihar State Sugar Corporation Ltd., Patna contained in Memo No. 118 Patna dated 30.04.2021 and further prayer has been made for the payment of interest on delayed payments covering the date of entitlement to the date of actual payment in addition to litigating cost and also for unnecessary harassment to the petitioner.



3. Learned counsel for the petitioner submits that the payment has not been made to the petitioner for which he is entitled. He submits that the petitioner is a poor employee and he is demanding the claim which was according to exit plan, as well as the money during the period he has worked for preparation of documents calculating payment up to cut off date.

4. Learned counsel for the Sugar Corporation submits that the petitioner along with others have moved before this Hon'ble Court in C.W.J.C. No. 2366 of 2020 which was disposed off with certain direction as follows:-

“The grievance is substantially to the extent that petitioners’ claim is not being considered. The nature of grievance requires no adjudication in the instant proceeding. Pendency of the writ petition, therefore, would be futile. Interest of justice would be met, if respondent no. 4 passes a reasoned and speaking order on the petitioner’s representation (Annexure 4) and makes payment of the legitimate dues to the petitioners in accordance with law. This Court would, therefore, direct respondent no. 4 accordingly.

The writ application stands disposed off.”

5. Learned counsel for the Sugar Corporation further submits that in the light of the representation, an **M.J.C. No.**



399 of 2021 (Shashi Bhushan Sharma Vs. The State of Bihar & Ors.) has also been filed. In the contempt proceeding, the claim of the petitioner and others regarding payment vide Memo No. 118 dated 30.04.2021 has been refused and in this backdrop, the M.J.C. proceeding was disposed off. He further submits that the reasons have been well assigned in Memo No. 118 dated 30.04.2021, which has been decided pointwise. It has been categorically stated that petitioner and others have not been produced any appointment letter by which it is proved that their appointment was made on the basis of contractual work on fixed salary.

6. It transpires to this Court that the petitioner has either intentionally or reason best known to him, not annexed the order passed in M.J.C. No. 399 of 2021, therefore, this Court is not inclined to interfere in this case and hence, the present writ application stands dismissed.

(Dr. Anshuman, J)

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