

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5883 of 2024

Surendra Nath S/O Late Kulpati Yadav R/O Vikash Nagar Awasiy Colony,
Gorakhpur, P.O.- Fertiliser Township, P.S.- Gorakhnath, Gorakhpur, U.P-
273007.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Agriculture Department, Govt. of Bihar, Vikash Bhawan, Nehru Path, Patna- 800015.
2. The Director, Agriculture Department, Govt. of Bihar, Vikash Bhawan, Nehru Path, Patna- 800015.
3. The Joint Secretary, Agriculture Department, Govt. of Bihar, Vikash Bhawan, Nehru Path, Patna- 800015.
4. The Deputy Secretary, Agriculture Department, Govt. of Bihar, Vikash Bhawan, Nehru Path, Patna- 800015.
5. The Accountant General, Bihar, Veerchand Patel Path, Patna- 800015.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prashant Prakash, Advocate
For the AG	:	Ms. Ritika Rani, Advocate
For the State	:	Mr. Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 12-02-2025

Heard learned counsel for the parties.

2.The petitioner, superannuated from the post of Joint Director (AGRO), Munger Division, Munger, under the Agriculture Department, Government of Bihar long back on 31.07.2021. Upon his superannuation, the petitioner has been paid all his retiral benefits except his legitimate earned leave benefit. The petitioner approached the authorities concerned but that was of no avail and under the compelling circumstances, he



has approached this court.

3. It is the contention of the petitioner that there is neither any departmental or judicial proceeding nor any adverse remark.

4. On the other hand learned Advocate for the State prays for four weeks time.

5. Considering the nature of the grievance and the fact that the petitioner had already superannuated from service way back in the year 2021 and all the substantive retiral benefits have been paid to the petitioner, except the amount under the head of Earned Leave, this court deems it proper to dispose of the writ petition with a direction to the respondent no. 2 to ensure the payment of legitimate earned leave benefit to the petitioner preferably within a period of 8 weeks from the date of receipt/production of a copy of this order.

6. Suffice it to observe that, in case any delay is occurred in payment of the admissible due amount to the petitioner, in such circumstance, the petitioner shall be entitled to interest at the rate of 8 per cent per annum above the delayed payment. However, if there is any objection on the part of the concerned respondent regarding the admissibility of the claim of the petitioner, he shall be obliged to pass a reasoned and



speaking order.

7. The writ petition stands disposed of with the
aforesaid directions.

(Harish Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

