

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14486 of 2024**

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1. Upendra Prasad Singh son of Late Rajendra Prasad, Resident of Village-Lakhna, Police Station-Gaurichak, District-Patna.
  2. Laxman Mandal, son of Late Babu Lal Mandal, resident of Mohalla-Pali, Police Station-Dehri, Post Office-Dalmianagar, District-Rohtas.
  3. Nandlal Ram, son of Late Shiv Narayan Ram, resident of Village-Gobarach, Police Station-Bhagwanpur, District-Kaimur, presently resident of St. Loretto Academy, Alka Puri, Anisabad, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Director, Water and Land Management Institute (WALMI), Phulwarisharif, Patna.
3. The Superintending Engineer, Command Area Development Circle, (WALMI)Sone Bhawan, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s          | : | Mr. Abhay Kumar Pandey, Adv.         |
| For the Respondent/s          | : | Mr. Government Advocate (13)         |
| For WALMI (Res. Nos. 2 and 3) | : | Mr. Harshvardhan Shiv Sundaram, Adv. |

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      11-09-2025                      Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the WALMI.

2. The petitioners have filed the instant writ petition for the following reliefs:-

*“(i) That this writ application is being filed herewith for issuance of a writ of Mandamus directing the respondents to pay the withheld retiral benefit amount (the Group Gratuity amount) of petitioners which has been given by L.I.C. separately to all the*



*three petitioners after maturity out of which some of the part of amount has been withheld by Respondents without any cogent reason and the petitioners have been given lesser amount against their retiral dues though most of the employees of the same erstwhile Sone Command Area Development Agency (SCADA) now Water and Land Management Institute hereinafter referred to as "WALMI" have been paid their full amount as has been sanctioned by L.I.C. to the department for payment of other employees which is an apparent discrimination with petitioners.*

*(ii) That the petitioners further prays that the similarly situated persons who had moved before this Hon'ble Court seeking one and the same relief which has been sought for in the present writ petition, had filed CWJC No.6851/2017 which was allowed vide order dated 13.07.2020 by this Hon'ble Court, hence petitioners seek disposal of the instant writ petition in terms of the aforesaid order passed in the said writ petition. And further for any other writ (s)/ order (s)/ direction (s) which is found just and proper in the facts and circumstances of the case."*

3. It is the case of the petitioners that petitioner no.1 has been appointed as Surveyor in SCADA on 22.11.1975 and after 40 years of satisfactory service, retired from the post of



Junior Engineer on 29.02.2016, vide Memo No. 15/B.C./Sone Com.Patna, dated 05.02.2016. Similarly, the petitioner no. 2 was appointed as Surveyor on 26.05.1975 after completion of 40 years of satisfactory service and retired on 31.01.2016, from the post of Junior Engineer from SCADA Division, Aurangabad. Likewise, petitioner no. 3 also retired from the post of Accountant-Cum-Head Clerk on 31.03.2016, after completing his entire length of service, vide Memo No. 6, dated 08.01.2016.

4. It is the case of the petitioners that pursuant to retirement, the petitioners represented before the authorities for payment of group insurance-cum-gratuity and the said claims have still not been decided by them.

5. It has next been submitted that the Coordinate Bench of this Court in C.W.J.C. No. 6851 of 2017, vide order dated 13.07.2020 has decided the issues at hand and accordingly, the WALMI /SCADA were directed to re-calculate the payable gratuity to the petitioners in terms of the L.I.C. formula sent in its communication to the then SCADA and upon having carried out the exercise in question, the differential amount, which is required to be paid to the retired employees, were directed to be paid within stipulated period.

6. Being aggrieved by the said order, the Director,



WALMI (Water and Land Management Institute) preferred L.P.A., which was heard by the Hon'ble Division Bench and the L.P.A. preferred against the order passed by the Hon'ble Single Judge was dismissed by affirming the order of the learned single Judge having decided the issue vide order dated 31.07.2022, passed in C.W.J.C. No. 6851 of 2017. Since, the issues at hand has already been given quietus by the Hon'ble Division Bench and there is nothing on record to suggest that any appeal is preferred before the Hon'ble Apex Court, therefore, the Judgment rendered by a Coordinate Bench of this Court, which having been affirmed by the Hon'ble Division Bench, is said to have attained finality and, therefore, the respondents are under legal obligation to comply the directions and apply the same principles in the case of these petitioners also for grant of the said benefit.

7. At this stage, learned counsel for the petitioners proposes to file an individual detailed representation, so that the authorities could decide their cases on individual basis, by appreciating the supportive materials within a period of two months from the date of submission of representation and it goes without saying that if the petitioners would cooperate in carrying out the exercise by the respondents, if so required



through valid communication the presence of petitioner can be sought.

8. It is made clear that if on adjudication, the amount is found payable, the same shall be extended to the petitioners within further period of two months from the date of production of a copy of this order.

9. Accordingly, the instant writ petition is disposed of.

**(Ajit Kumar, J)**

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