

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5766 of 2026

Shivanand Jha Son of Dinanand Jha, Resident of Devta Cottage, Road No. 10
East Mahavir Colony, Beur, Anishabad, Patna - 2, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Development Commissioner, Government of Bihar, Patna.
3. The Director Panchayati Raj-cum-Project Officer, Bihar Gram Swaraj Yojana Society, Patna, Government of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Government Pleader (18) Mr. Navnit Kumar, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*“For issuance of appropriate writ(s)
order(s), Direction(s) preferably in the nature of
mandamus for commanding the respondent
authorities to pay the gratuity to the petitioner
since the petitioner is entitled on account of
continuous service for the period from 18.07.2013
to 09.04.2025 in view of the provision made under
payment of gratuity Act, 1972 (Now Section 53 of
Social Security Code 2020) And for further
commanding the respondent to make payment of
aforesaid amount along with statutory interest
prescribed in Section 7 (3A) of the payment of*



gratuity Act 1972 (now section sub-section 4 of Section 56 of Social Security Code 2020) from the date of its due till the date of its actual payment.

And for further direction to grant any other reliefs for which petitioner is found to be entitled.”

3. Learned counsel for the petitioner submits that the petitioner's case is squarely covered by the judgment passed by this Court in in C.W.J.C. No.9050 of 2024, ***Ishwar Lal Paswan v. The Bihar Industrial Area Development Authority (BIADA)*** and payment of gratuity has been directed to the employee, who are similarly placed, therefore, a representation which has been filed by this petitioner, which is appended with the writ petition as Annexure-P/3, may be directed to considered and decided by respondent No.3, The Director Panchayati Raj-cum-Project Officer, Bihar Gram Swaraj Yojana Society, Patna.

4. On the other hand, learned counsel for the State submits that appropriate direction may be issued to decide the representation in reference to the judgment which is proposed to be placed on record for adjudication of the case.

5. Considering the submission of the parties, the petitioner is directed to file a fresh representation in continuation of the earlier representation dated 15.01.2026 with all supportive materials for consideration of similar treatment at par, within



a period of four weeks and on filing of such representation, all such benefits shall be extended to him within the same time.

6. Accordingly, the writ petition stands disposed of .

(Ajit Kumar, J)

sharun/-

U			
---	--	--	--

