
(2017) 04 JH CK 0031
In the Jharkhand High Court
Case No : 1854 of 2017

Bhusan Das

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 10-04-2017

Acts Referred:

Constitution of India, Article 226 -
Power of High Courts to Issue certain writs

Citation : (2017) 04 JH CK 0031

Hon'ble Judges : Pramath Patnaik

Bench : SINGLE BENCH

Advocate : Someshwar Roy, Bhawesh Kumar, Ravi Kumar

Final Decision : Disposed

Judgement

1. Heard learned counsel for the parties.
2. The petitioner, who was appointed on the post of Female Sweeper, Putki Circle under the respondent Mineral Area Development Authority, Dhanbad retired on 30.06.2015 from the services of Mineral Area Development Authority, Dhanbad. The grievance of the petitioner is that post retirement dues such as provident fund, gratuity, leave encashment, group insurance, dearness allowance, benefit of 6th pay revision, benefit of A.C.P and other benefits along with interest have not yet been paid to him, though he has made representation before the competent authority of MADA vide Annexure- 2.
3. Learned counsel for the petitioner submits that since the representation of the petitioner did not evoke any response, the petitioner being constrained has approached this Court under Article 226 of the Constitution of India, for redressal of his grievances.
4. Learned counsel for the respondents- M.A.D.A, on the other hand, submits that the petitioner may be directed to approach the competent authority i.e. Managing Director, M.A.D.A., who may look into the grievances of the petitioner

in accordance with law.

5. In such circumstances, since the matter relates to payment of certain post retiral dues and other service benefits of the petitioner, the writ petition is disposed of by allowing the petitioner to prefer fresh representation before the respondent-Managing Director, M.A.D.A, Dhanbad together with all supporting facts and documents within a period of three weeks. On receipt of such representation, the respondent- Managing Director, M.A.D.A shall consider the same in accordance with law and after proper verification of the records of the petitioner, pass a reasoned and speaking order within a period of 12 weeks thereafter, which shall also be communicated to the petitioner. It is made clear, if the grievances of the petitioner are found to be genuine and are entitled to legally admissible dues on account of post retirement dues and other service benefits, the same shall also be disbursed as per the Scheme framed by the respondent-M.A.D.A, which is applicable to retired employees of M.A.D.A.

6. Accordingly, writ petition is disposed of in the aforesaid terms.