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**(2020) 01 JH CK 0116**  
**In the Jharkhand High Court**  
**Case No : Writ Petition (S).No. 1323 Of 2019**

Kumari Chinta Singh And Ors

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

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**Date of Decision :** 09-01-2020

**Acts Referred:**

**Citation :** (2020) 01 JH CK 0116

**Hon'ble Judges :** Dr. S.N. Pathak, J

**Bench :** Single Bench

**Advocate :** Sidhartha Roy

**Final Decision :** Allowed

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## Judgement

1. Heard the parties.

2. Petitioners are ex-employees of Daltonganj Central Co-operative Bank Ltd., which has gone into liquidation. The petitioners have filed the present writ application for release of their salaries and other dues.

3. Learned counsel for the petitioners submits that some of the ex-employees of the said Bank had filed a Letters Patent Appeal being L.P.A. No.

264 of 2013, in which, this Court was informed by the respondents that the liquidation proceedings of the Bank were still under progress and is likely to

be completed very shortly and after completion of the liquidation process, the retiral dues of the ex-employees of the Bank will be paid without any

delay. This Court, accordingly, directed the respondents to conclude the liquidation proceeding as early as possible and preferably within a period of

eight weeks, so that the retiral dues along with the arrears of salary, if any, are paid to the ex-employees of the Bank within two weeks thereafter and

accordingly, the said L.P.A. No. 264 of 2013 was disposed of vide order dated

18.05.2015, as contained in Annexure-5 of the writ application.

It is further submitted by the learned counsel for the petitioners that subsequently, the respondent-State had filed C.M.P. No. 187 of 2016 relating to

the said L.P.A. No. 264 of 2013, for extension of the time for concluding the liquidation proceeding but the said C.M.P. was disposed of by order

dated 05.08.2016, by a Division Bench of this Court, holding that the prayer of the District Co-operative Bank, Palamau, seeking extension of time for

concluding the liquidation proceeding was on the fact of it, most unreasonable. This Court, however, granted another four weeksâ?? time to clear all

the retiral dues along with the arrears of the salary to the petitioners of L.P.A. No. 264 of 2013. Learned counsel further argues that the present

petitioners being the ex-employees of the said Bank are also entitled to the same benefits.

4. Learned counsel appearing for the respondents submits that in absence of counter affidavit, he is not in a position to say as to why petitioners have

not been given benefits of liquidation of the Bank. However, it is fairly contended that if petitioners are found entitled for the same or similar benefits

as has been given to the similarly situated persons mentioned in Annexures-5 and 6, the same will be extended to the petitioners also. He further

submits that some time may be allowed for passing appropriate order on pending representations of the petitioners.

5. Having heard counsel for the parties, this writ petition is being disposed of in terms of orders passed by the Division Bench in L.P.A. No. 264 of

2013 and C.M.P. No. 187 of 2016 with Cont. Case (C). No. 619 of 2013, as also the order passed in W.P.(S) No. 5215 of 2015. The respondents are

directed to consider cases of the petitioners in light of Annexures-5 and 6 herein and take a decision on their pending representations and pass

appropriate reasoned order within a period of four weeks from the date of receipts / production of a copy of this order. It is made clear, if petitioners

are found entitled for the same benefits, the same may be extended to them within a period of three weeks thereafter. It is also made clear that the

petitioners shall be governed by any further order that may be passed in connection with L.P.A. No. 264 of 2013 and/or C.M.P. No. 187 of 2016,

either by this Court or the Hon'ble Apex Court.

6. With the aforesaid observations and directions, the writ petition stands

allowed.