

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No. 1901 of 2020

Shiv Lakhan Prasad, age about 62 years, S/o-late Jagnarayan Prasad,
Resident of -J.C. Mallick, Road, Hirapur, Dhanbad, P.O. & P.S. and Dist.-
Dhanbad
... **Petitioner**

-Versus-

1. The Jharkhand Mineral Area Development Authority, through its Managing Director, having its office at Dhanbad, P.O. & P.S. and Dist- Dhanbad
2. The Managing Director, Jharkhand Mineral Area Development Authority, having its office at Dhanbad, P.O. & P.S. and Dist.- Dhanbad
3. The Secretary, Jharkhand Mineral Area Development Authority, having its office at Dhanbad, P.O. & P.S. and Dist.- Dhanbad
4. Account officer, Jharkhand Mineral Area Development Authority, having its office at Dhanbad, P.O. & P.S. and Dist.- Dhanbad
... **Respondents**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Someshwar Roy, Advocate

For the Respondents : Mr. Santosh Kr. Jha, A.C. to Mr. Mahavir Pd. Sinha, Advocate

02/09.07.2020. Heard Mr. Someshwar Roy, learned counsel for the petitioner and Mr. Santosh Kumar Jha, learned counsel for the respondent-JMADA.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard on merit.

Defect, as pointed out by the office, is ignored.

The petitioner has preferred this writ petition for direction to the respondents to pay retiral dues to the petitioner such as Provident Fund with Contributory benefits, Gratuity, Leave Encashment, Group Insurance, difference of dearness allowances, benefits of 6th Pay Revision w.e.f. 01.01.2006 and benefits of A.C.P.

Learned counsel appearing for the petitioner submits that the petitioner was appointed with the respondent-Jharkhand Mineral Area Development Authority on 09.04.1981 on the post of Health Supervisor, Health Circle Gobindpur and he has worked permanently for over 38 years under the respondents and, thereafter, the

petitioner retired on 28.02.2019 on attaining the age of 60 years. He further submits that the petitioner has already filed representations which are at Annexures-2 and 3 to the writ petition, but no action has been taken by the respondents with regard to the aforesaid claims of the petitioner.

Learned counsel appearing for the respondent-Jharkhand Mineral Area Development Authority submits that the petitioner may be directed to file a fresh representation before respondent no.3, who will consider the case of the petitioner and pass appropriate order, in terms of the Scheme framed by the respondent-authority.

In view of the above facts and considering the submissions of the learned counsel for the parties, this writ petition is disposed of with direction to the petitioner to file a fresh representation before respondent no.3, annexing all the claims along with credentials on which he is relying, within a period of four weeks from today. If such representation is filed within the aforesaid period, respondent no.3 shall consider the case of the petitioner and pass appropriate order and release the admitted dues in favour of the petitioner, in accordance with law, rules, regulations and in terms of the Scheme framed by the respondent-authority, as early as possible, but not later than eight weeks from the date of receipt of such representation.

With the above observations and directions, this writ petition stands disposed of.

(Sanjay Kumar Dwivedi, J.)