

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P. (S) No. 719 of 2021

Sibus Kujur. ... ..Petitioner

-Versus-

Jharkhand State Food and Civil Supplies Corporation Limited,  
Marketing Board Building, having its office at Jharkhand Agriculture,  
Itki Road, P.O. + P.S. Hehal, District Ranchi & Ors. ... ..Respondents

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**CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK**

**(Through: Video Conferencing)**

For the Petitioner : Mrs. Jasvindar Mazumdar, Advocate.  
For the Res. No. 1 to 3 : Mr. Shivam Singh, Advocate.  
For the Res. No.4 : Mr. Jitendra S. Singh, Advocate.

**03/ 05.04.2021**

The petitioner is directed to implead State of Jharkhand as respondent No.5 in the array of the party-respondent.

The petitioner has superannuated on 30.06.2012 but till date nothing has been paid to him in the head of retiral benefits though it has been mentioned in paragraph No.11 of the writ petition that he has received E.P.F., Insurance and Pension and save and except no other retiral dues have been paid to him.

Heard Mr. Shivam Singh, learned Counsel appearing for Jharkhand State Food and Civil Supplies Corporation Limited and Mr. Jitendra S. Singh representing the Bihar State Food and Civil Supplies Corporation Limited.

Mr. Jitendra S. Singh, learned Counsel representing the Bihar State Food and Civil Supplies Corporation Limited has tried to impress upon this Court that in view of the guideline and resolution, Bihar State Food and Civil Supplies is not liable to make any payment rather it is State of Jharkhand who is to make the entire payment of retiral benefits.

On the other hand, Mr. Shivam Singh learned Counsel representing the respondent Nos. 1 to 3 submits that for want of some documents/ service excerpts, the benefits have not been extended as almost 9 years have passed. Since the petitioner has retired and the respondents are throwing ball on each other as they are not liable to pay

the benefit in view of the resolution. Headquarter of Bihar is not so far though it took 9 years for receiving the documents. This shows the lethargic and lackadaisical approach of the respondent. The petitioner who was working as an Assistant Manager in Bihar State Food and Civil Supplies Corporation (later on Jharkhand State Food and Civil Supplies Corporation Limited) is being deprived of his legal dues which he is entitled for.

Let a specific affidavit be filed by the respondent-Jharkhand State Food and Civil Supplies Corporation Limited stating therein as to why amount has not been disbursed till date though 9 years have elapsed. Let Managing Director, Jharkhand State Food and Civil Supplies Corporation Limited, Ranchi sworn affidavit as to what was the legal impediment and what prevented him from not disbursing the retiral benefits.

Let specific affidavit be filed by respondent No.4 as to whether service excerpts or the documents which are needed for grant of retiral benefits to an employee is still lying with the State Food and Civil Supplies Corporation Limited, Bhagalpur or whether any steps has been taken to send those documents to State of Jharkhand and if already sent when it was sent to the State of Jharkhand.

This Court in cases of retiral benefits has already directed the Chief Secretary of the State and in view of the direction of this Court a notification was also issued, but this Court fails to understand whether that notification issued by the Chief Secretary of the State is being given effect to or not ?

Let the Respondents file specific affidavit within a period of three weeks.

Put up this case after three weeks.

**[Dr. S.N.Pathak, J.]**