

Mansa Mahto Vs. Mineral Area Development Authority Through Its Chairman and ors

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Court : Jharkhand

Decided On : Sep-02-2013

Appellant : Mansa Mahto

Respondent : Mineral Area Development Authority Through Its Chairman and ors

Judgement :

INTHEHIGHCOURTOFJHARKHADATRANCHI W.P.(S)No.7543of2012 Mansa
Mahto Petitioner Versus Mineral Area Development Authority, Dhanbad &
ors.....Respondents ----- CORAM:

HONBLEMR.JUSTICEAPARESHKUMARSINGH ForthePetitioner
:Mr.MahadeoThakur,Adv. FortheRespondents

MADA:M/s.BhaweshKumar,RaviKumar andRahulKamlesh,Advs. ----- 2/2.9.2013

Heard learned counsel for the parties. The petitioner is said to have retired on 30th November, 2011 while working as Pump Operator, under the Respondents-Mineral Area Development Authority, Dhanbad. According to him, the post retirement dues such as arrear of salary of 3 months, gratuity, provident fund, earned leave, group insurance, dearness allowance, arrear of difference of salaries arising out of grant of increments, arrear of regional allowance, arrear of interim relief, medical allowance, benefits of crossings the efficiency bar, arrear of difference of salary arising out of pay revision w.e.f. 01.0.1.1996 and 01.01.2006, arrear of city allowance, dress allowance, benefits on account of A.C.P. and other

legally payable dues along with statutory interest thereon have not been as yet, though he has made representations before the respondents-MADA vide Annexures 2, 3 and 4. Learned counsel for the Respondents-MADA submits that if the petitioner approaches the competent authority i.e. Managing Director, MADA, Dhanbad with fresh representation together with all supporting facts and documents relating to the grievances of post retirement dues, the same shall be looked into after verification of all the service records of the petitioner in accordance with law, Rules and Guidelines prevalent in the Respondents-MADA. In such circumstances, since the matter relates to post retirement dues, the writ petition is being disposed of without commenting anything upon the claim of the petitioner with liberty to him to prefer fresh representation before the Respondent no.2, Managing Director, M.A.D.A, Dhanbad together with all supporting facts and documents within a period of 3 weeks. On receipt of such representation, the Respondent no.2, Managing Director, M.A.D.A., Dhanbad, shall consider the same in accordance with law and after verification of such service record of the petitioner pass a reasoned and speaking order in accordance with law, Rules and Guidelines prevalent in the Respondents-MADA, so far as his 2. grievances are concerned within a period of 12 weeks thereafter, which shall also be communicated to the petitioner. Needless to say that if any of the claim of the petitioner are found to be genuine and admissible, the same shall also be paid as per scheme framed by the respondents MADA, which is applicable to the retired employees of MADA. Accordingly, the writ petition is disposed of in the aforesaid term. (Aparesh Kumar Singh, J) jk