

GAHC010192342013



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1901/2013

ABANTI KUMAR BORDOLOI ,
S/O LATE JOGO KANTA BORDOLOI,
R/O VILL. and P.O. KALIABOR, DIST- NAGAON, ASSAM.

----VERSUS----

1. THE STATE OF ASSAM,
THROUGH THE SECRETARY TO THE GOVT. OF ASSAM,
POWER DEPARTMENT, DISPUR, GHY-6.

2:ASSAM STATE ELECTRICITY BOARD,
REPRESENTED BY ITS CHAIRMAN, BIJULI BHAWAN,
PALTANBAZAR, GHY-8.

3:THE CHIEF GENERAL MANAGER,
ASSAM POWER DISTRIBUTION COMPANY LTD.,
BIJULI BHAWAN, PALTAN BAZAR, GHY-8.

4:THE GENERAL MANAGER,
NORTH ASSAM ZONE,
ASSAM POWER DISTRIBUTION COMPANY LTD,
. P.O. TEZPUR, DIST- SONITPUR, ASSAM.

5:THE DY. GENERAL MANAGER,
NAGAON ELECTRICAL CIRCLE, NEC,
ASSAM POWER DISTRIBUTION COMPANLY LTD,
P.O. NAGAON, DIST- NAGAON, ASSAM.

6:THE ASSTT. GENERAL MANAGER,
NAGAON ELECTRICAL CIRCLE NEC ASSAM POWER DISTRIBUTION
COMPANY LTD.,
P.O. NAGAON, DIST- NAGAON, ASSAM.

7:THE DY. MANAGER
KALIABOR ELECTRICAL SUB DIVISION
ASSAM POWER DISTRIBUTION COMPANY LTD. P.O. KALIABOR
DIST- NAGAON, ASSAM.

Advocate for the Petitioner : MR. E AHMED

Advocate for the Respondent :

– B E F O R E –

HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

22.01.2024

Heard Mr. S.C. Biswas, learned counsel for the petitioner. Also heard Mr. K.P. Pathak, learned Standing Counsel, APDCL appearing for the respondents.

2. The petitioner, by way of instituting the present proceedings, has sought for financial benefits, i.e. allowances accruing to him for working as a Bill Assistant with effect from 01.10.2001.

3. The petitioner was initially recruited as a Peon in A.S.E.B. on 01.01.1979. Thereafter, on completion of 8(eight) years of service, he was appointed as a Senior Office Peon with financial benefits.

4. The contention of the petitioner is that while working as a Senior Office Peon, he was off and on engaged for works of higher posts like that of Cashier, Bill Assistant, Revenue Collector etc. by the concerned authorities.

5. The said contention of the petitioner has not been categorically denied by the respondents in their affidavit also. However, it is the contention of Mr. K.P. Pathak, learned Standing Counsel, APDCL that for the period the petitioner was engaged as Cashier as well as Duftry, he was paid his allowances.

6. There is nothing in the record to indicate as to how the claim of the petitioner for allowances for the period he was required by the authorities to work as a Bill Assistant was considered. The petitioner has by now retired from his services on reaching the age of superannuation.

7. In that view of the matter, the petitioner herein is required to submit a detailed representation before the Managing Director, APDCL, highlighting all particulars of the service rendered by him as a Bill Assistant and also the allowances he claims are due to him, along with a certified copy of this order. The petitioner shall also disclose in his representation the periods during which he had served as a Bill Assistant in addition to his duties as a Senior Office Peon.

8. The Managing Director, APDCL, on receipt of the said representation along with a certified copy of this order, shall cause an enquiry to ascertain the facts as disclosed by the petitioner with regard to his engagement by the authorities as a Bill Assistant.

9. On such enquiry being made and if it is ascertained that the petitioner served as a Bill Assistant during the period as claimed by him, the Managing Director, APDCL shall release to the petitioner allowances due to him for having discharged such higher duties along with the works of Senior Office Peon which was his substantial post. Such allowances shall be so released to the petitioner strictly in accordance with the provisions of the rules and procedures governing the field.

10. The entire exercise leading to release of the allowances, if found due, shall be completed within a period of 3(three) months from date of receipt of the representation to be submitted by the petitioner along with a certified copy

of this order.

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

JUDGE

Comparing Assistant