

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4191 of 2015

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Yogi Mahto Son of Late Ghutan Mahto , resident of Bindi Toli , Near Ram Janaki Mandir , Simariya Ghat , P.O. Simariya Ghat , P.S. Barauni , O.P. Chakia, District : Begusarai

.... Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited , Vidyut Bhawan , Bailey Road , Patna represented through its Chairman -cum - Managing Director ;
2. The Chairman -cum - Managing Director , Bihar State Power (Holding) Company Limited , Vidyut Bhawan , Bailey Road , Patna, and
3. The General Manager-cum-Chief Engineer of the Brauni Thermal Power Station , Barauni , District : Begusarai, PIN: 851116
4. The Electrical Executive Engineer, Election Supply Division, Barh.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish
Mr. Arif Daula Siddiqui
For the Respondent/s : Mr. Ajay Kumar Gautam

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 31-03-2015 When this writ application was filed on 19.3.2015, the petitioner's grievance, as specifically stated in paragraph no.1 of the writ application, had read as follows:-

"1(i) To issue a writ of mandamus directing and commanding the respondents to pay forthwith with statutory as well as penal interest the post retrieval benefits of this petitioner viz. Gratuity, Final Withdrawal of Contributory Provident Fund etc. to this petitioner who superannuated from the Barauni Thermal Power Station, Begusarai as a Coal-Loader under the Fuel Division."

Mr. Kumar Ravish, learned counsel for the petitioner, however, before making its submission in support of the

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aforementioned prayer, has produced two office orders both dated 25.3.2015 issued by the General Manager cum Chief Manager, Barauni Thermal Power Station of Bihar State Power Generation Company Limited wherein sanction has been accorded for payment of C.P.F. amount along with interest to the tune of Rs. 3,20,239/- as well as payment of gratuity to the tune of Rs. 56,160/-. He has also submitted that now the petitioner would be only entitled for its actual payment as quantified in the aforesaid office orders dated 25.3.2015.

In view of the fact that there is no dispute with regard to either of the amount i.e. gratuity and C.P.F., this Court would direct the General Manager cum Chief Engineer, Barauni Thermal Power Station as well as Chairman, C.P.F.(T) to ensure that actual payment of the amount sanctioned by them in the office orders dated 25.3.2015 is made to the petitioner within a period of one month from the date of receipt of this order.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

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