

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20477 of 2010

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Most.Shankar Devi W/O Late Jawahar Bhagat R/O Vill.- Kutubpur Dighra,
P.S.- Bidupur, Distt.- Vaishali

.... Petitioner

Versus

1. Bihar State Electricity Board Through The Secretary Bidhyut Bhawan,
Bailey Road, Patna
2. The Joint Secretary Bihar State Electricity Board, Bidhyut Bhawan,
Bailey Road, Patna
3. The General Manager-Cum-Chief Engineer Tirhut Electric Supply Area,
Muzaffarpur
4. The Chief Engineer-Cum-Area Manager Tirhut Electric Supply Division,
Muzaffarpur
5. The Electrical Superintending Engineer Bihar State Electricity Board,
Electric Supply Anchal, Muzaffarpur
6. The Electrical Executive Engineer Bihar State Electricity Board, Electric
Supply Division, Hajipur
7. The Electrical Executive Engineer Electric Supply Division, Bihar State
Electricity Board (Urban) Muzaffarpur
8. The Electrical Assistant Engineer Bihar State Electricity Board, Electric
Supply Sub-Division, Hajipur, Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia, Adv.
For the Respondent/s : Mr. Vinay Kirti Singh, Adv.
Mr. Akhileshwar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

5 07-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the husband of the petitioner while working as Junior Line Man had retired from the services of Bihar State Electricity Board on 30.6.2005 and that his widow after his death on 7.9.2010 has also been paid balance retirement benefit beyond what was paid to her husband on 20.3.2012 to the tune of Rs.10,42,393/-, it would find it difficult to now go into the question as to certain payment of arrears of salary of husband of

the petitioner was not made. If the husband of the petitioner was claimed payment of salary, the widow definitely now cannot after ten years of retirement claim such payment. In any event this writ application would be only confined to retirement benefit and therefore, this Court is not inclined to go into the payment of salary which is otherwise a stale claim.

The remaining grievance of the petitioner that certain interest payable on the head of the provident fund was not paid to her will be a question of accounting and therefore, if the petitioner can still satisfy that the amount of provident fund paid to her husband was without payment of interest for any particular portion, the said issue will be examined by the competent authority of the successor company which has now taken over the liability of Bihar State Electricity Board.

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

(Mihir Kumar Jha, J)

surendra/-

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