

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13679 of 2011

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Awadhesh Kumar Thakur S/O Late Ajab Lal Thakur R/O Prakriti Apartment,
Professor's Colony, P.S.- Shashtrinagar, District- Patna

.... Petitioner/s

Versus

1. The Bihar State Electricity Board through its Chairman, Vidyut Bhawan, Bailey
Road, Patna

2. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna

3. The Chief Engineer, Store and Purchase, Vidyut Bhawan, Baiely Road, Patna

4. The General Manager -cum-Chief Engineer, PESU, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 12-08-2015

Heard learned counsel for the parties.

The present writ application has been filed by the petitioner for quashing the order dated 14.09.2011 and subsequent order passed by the respondents by which the representation of the petitioner dated 15.12.2010 for counting his service on daily wages rendered from 26.07.1974 till 11.05.1977 for the purposes of fixation of his pension and other retiral benefits has been rejected.



It appears that initially when the same was not given, the petitioner had moved this Court in C.W.J.C. No. 8871 of 2010 which was withdrawn as per order dated 19.05.2010 by a co-ordinate Bench of this Court in the background of the learned counsel appearing for the petitioner seeking permission to withdraw the writ application to ventilate the grievances departmentally. It further appears that pursuant to the said order the petitioner filed a representation before the Chairman of the erstwhile Board on 15.12.2010. However, the same has not even been considered only on the ground that in the past such claim was rejected.

Upon going through the representation filed by the petitioner, copy of which is Annexure 12, it transpires that the petitioner has raised issues and given reasoning why his case needs consideration. In the opinion of the Court, the authorities were obliged to pass a reasoned order on such representation and by not doing so and taking the stand that as the matter has been decided in the past, it needs no reconsideration, is not proper.

Accordingly, the Court directs that a reasoned order be passed on the representation dated 15.12.2010 by the competent authority within six weeks from today. The petitioner shall also have a right to be personally heard, if he so desires.

The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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