

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9535 of 2012

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Awadh Bihari Singh S/O Late Hari Kishun Singh R/O Vill-Pario, P.O.-
Makhmilpur, P.S.-Paliganj, Distt-Patna

.... Petitioner/s

Versus

1. The State Of Bihar through its Chief Secretary Bihar, Patna
2. The Principal Secretary, Power and Energy Department, Bihar, Patna
3. Bihar State Electricity Board, Through Its Secretary Null Vidyut Bhawan, Patna
4. The Joint Secretary, Bihar State Electricity Board, Department Of General
Administration Bihar, Patna
5. The State Of Jharkhand through its Chief Secretary, Jharkhand, Ranchi
6. The Jharkhand State Electricity Board, through its Secretary, Ranchi
7. The General Manager , Patratu Thermal Power Station Patratu, Ramgarh,
Jharkhand
8. Account Officer, Patratu Thermal Power Station Patratu, Ramgarh, Jharkhand

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Manish Kumar, Advocate
For the State : Ms. Namrata Mishra, Advocate
For the Accountant General: Mr. Manikant Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 21-12-2015

Learned counsel for the parties are present.

It appears that now all admitted dues of the petitioner have been paid except leave encashment with regard to which the stand is that as the petitioner was working at Patratu Thermal Power Station situated in the State of Jharkhand, the details have been sought from respondent no. 6, which is awaited.

Learned counsel for the respondent no. 6 submits that the same will be transmitted to the authorities of Bihar within two weeks.

Learned counsel for the respondents no. 3 and 4 submits that upon receipt of the details, payment shall be made within three weeks.

From the materials on record, especially the statement made in paragraph no. 2 of supplementary counter affidavit filed on behalf of the Bihar State Power Holding Company Limited, it is apparent that the dues have been paid after long delay. Accordingly, the Court holds that the petitioner shall be entitled to interest @ 6% per annum from the date of sanction order in the year 2007 till the date the amounts were actually paid to the petitioner i.e., from the date the petitioner became entitled or from 16.05.2007, whichever is later. The payment shall be made in the aforementioned terms latest by 31.01.2016.

The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Ranjan/-

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