

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Review No.233 of 2014**

**In**  
**Civil Writ Jurisdiction Case No. 13722 of 2014**

- =====
1. The Bihar State Electricity Board now North Bihar Power Distribution Company Ltd., through its Secretary Vidyut Bhawan Bailey Road, Patna
  2. The Finance Controller-I, North Bihar Power Distribution Company Ltd., Vidyut Bhawan Bailey Road, Patna
  3. The Deputy Director, Head Quarter, Bihar State Electricity Board, North Bihar Power Distribution Company Ltd., Vidyut Bhawan Bailey Road, Patna
  4. The Accounts Officer, Electric Supply Division Motihari, District - East Champaran

.... .... Petitioner/s

Versus

1. Ram Chandra Pandey Son of Late Mangla Pandey Resident of Village - Ghanshyam Pakri, P.S. - Pipra, District - East Champaran
2. The State of Bihar through Energy Secretary, Government of Bihar

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kirti Singh  
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

3      15-04-2015      This review petition has been filed by the petitioners in respect of order dated 27.03.2014 passed by this court in CWJC no. 13722/2007 on the ground that Payment of Gratuity Act, 1972 is not applicable in the case of opposite party no.1 and furthermore, so far as delayed payment of gratuity amount is concerned, there is no provision in the Bihar Pension Rule and moreover, delayed payment of gratuity amount is against the policy of the Board.

It would appear from perusal of the order dated 27.03.2014 passed by this court in CWJC no. 13722/2007 that the aforesaid order is suggestive in nature and an option has been given to the petitioners to consider grievance

of the opposite party no.1 and if grievance is found genuine, in that circumstance, petitioners are bound to make payment and, therefore, it is obvious that order dated 27.03.2014 passed by this court in CWJC no. 13722/2007 is not mandatory in nature and, therefore, in my view, there is no need to review the order dated 27.03.2014.

Accordingly, this petition, with the above stated observations, stands disposed of.

**(Hemant Kumar Srivastava, J)**

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