

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3031 of 2014

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Shiv Shankar Paswan No. 1 S/O Late Jugeshwar Paswan R/O Village Raiyam, P.S. Bhairab Sthan, District Madhubani

.... Petitioner

Versus

1. The Bihar State Electricity Board now known as Bihar State Power Holding Company through its Chairman-cum-Managing Director, Vidhyut Bhawan, Patna
2. The Director, Finance, Bihar State Power Holding Company, Vidhut Bhawan, Patna
3. The Executive Engineer, Electric Supply Division, Darbhanga (Rural)
4. The Assistant Engineer, Electric Supply Sub-Division, Sakri, District Darbhanga

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Gupta

For the Respondent/s : Mr. Sanjay Kumar Giri

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-01-2015 Heard Sri Kameshwar Prasad Gupta, learned counsel for the petitioner and Sri Sanjay Kumar Giri, learned counsel, who has appeared on behalf of all the respondents/Bihar State Power Holding Co. Ltd.

The petitioner, who retired on 30-08-2013 as Lineman from the Electric Supply Sub-Division, Sakri, has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to issue appropriate writ directing the respondents to pay his entire retiral dues i.e. (i) Pension, (ii) G.S.S. Leave encashment, (iii) G.P.F., (iv) Gratuity, and (v) Due salary of six days of the year 2007.

Learned counsel for the petitioner submits that till the date of retirement, neither any departmental proceeding nor criminal proceeding was pending against the petitioner.

Instead of asking the respondents to file counter affidavit, keeping in view the fact that claim is in respect of retiral dues, the Court is of the opinion that writ petition can be disposed of with a direction to respondent no. 2 & 3 to take all steps for settling all the retiral dues, as claimed by the petitioner, within a period of three months from the date of receipt/production of a copy of this order with statutory interest. It is made clear that if any departmental proceeding or criminal proceeding is pending against the petitioner, this direction may not be given effect to.

With above observation, the petition stands disposed of.

(Rakesh Kumar, J.)

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