

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14210 of 2015

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Pankaj Kumar, S/o Late Prakash Mahto, R/o Village Baddi Goriyari, P.S. Sarmera, Dist. Nalanda.

.... Petitioner/s

Versus

1. The Chief Managing Director , South Bihar Power Distribution Company Ltd., Bihar, Bidut Bhawan, Bailey Road, Patna.
2. The Managign Director-cum-Chief Engineer, S.B.P.D. Company Ltd., Bidut Bhawan, Bailey Road, Patna.
3. The Deputy Managing Director-cum-Superintending Engineer, S.B.P.D. Company Ltd., Patna, Bidut Bhawan, Bailey Road, Patna.
4. The Executive Engineer, Electric Supply Sub-Division, Patna City, Patna.
5. The Deputy Managing Director (Revenue), S.B.P.D. Company Ltd., Patna.
6. The State of Bihar through the Secretary, Power and Energy Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Sinhg, Adv.
Mr. S.K. Ranjan, Adv.

For the Respondent/s : Mr. Prabhu Narayan Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 08-09-2015

Heard learned counsel for the parties.

The moment this Court would find that the petitioner was a contractual employee who was yet to complete the probation and became absent from duty for a very long time just after working for 28 days, this Court would not find any error in the order passed by the competent authority of the South Bihar Power Distribution Company Limited terminating the services of the petitioner. In fact, there are around 40 persons of the similar nature, whose probation also was not completed and all of them

have been terminated on the ground of their remaining absent from duty without sanction of authorized leave.

The only submission of the learned counsel for the petitioner that the petitioner had made it known to the authorities at the time of rejoining after his recovery from illness of his being unwell to be the reason of his such absence will be neither here nor there. The petitioner, having been assigned the post of Junior Engineer in South Bihar Power Distribution Company Limited, could not have left the job even on account of illness without sanctioning of the leave by the competent authority.

This application is, accordingly, dismissed but it is made clear that if the petitioner is entitled for payment of any remuneration for the work done by him prior to his termination of service, such amount must be paid to the petitioner in accordance with law within a period of one month from the date of receipt of this order.

(Mihir Kumar Jha, J)

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