

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13074 of 2013

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1. Krishna Deo Singh Son Of Late Awadh Narayan Singh Resident Of Village +
P.O.- Temtha Rakha, P.S.- Parwatta, District- Khagaria

.... Petitioner/s

Versus

1. The Bihar State Road Transport Corporation, Pariwahan Bhawan, Patna Through
Its Administrator
2. The Administrator, Bihar State Road Transport Corporation, Pariwahan Bhawan,
Patna
3. The Chief Of Administration, The Bihar State Road Transport Corporation
Pariwahan Bhawan, Patna
4. The Divisional Manager, Bhagalpur Division, Bihar State Road Transport
Corporation, Bhagalpur
5. The Depot Superintendent, Bihar State Road Transport Corporation, Jamui
6. The Depot Superintendent, Bihar State Road Transport Corporation, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Corporation : Mr. L.K. Tiwari, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 27-10-2016

Heard learned counsel for the petitioner and learned
counsel for the Bihar State Road Transport Corporation.

Petitioner was an employee of the Bihar State Road
Transport Corporation (hereinafter referred to as the
Corporation) and he was made to retire on 12.5.2006 and when
he raised grievance as like other employees the order of
compulsory retirement was recalled on 23.11.2007 and since
then he continue to discharge the duty till superannuation.

Grievance has been raised that there was no fault on the

part of the petitioner for his non-working in the Corporation, it is the Corporation who illegally deprived him for performing the duty as he was illegally compulsory retired from service. He has placed reliance on the order passed by this Court in C.W.J.C. No. 1537 of 2007 and he has distinguished the order passed in C.W.J.C. No.6524 of 2011 (Ram Sakal Pandit v. The Bihar State Road Transport) on the ground that that order was passed by way of inflicting punishment but in the present case there is no misconduct or any fault.

In such view of the matter, authority will consider the case of the petitioner in terms of the order dated 22.9.2008 passed in C.W.J.C. No.1537 of 2007 and give the monetary benefit which the petitioner is entitled within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	8.11.2016
Transmission Date	NA