

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.805 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 498 of 2015
Along with
Interlocutory Application No.3414 of 2015

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Deo Nath Singh, son of Lae Sarjoo Singh, Residing At & P.O. - Chhota
Bariyarpur, Bye-Pass Chowk, P.S. - Chhatauni, District - East Champaran.

.... Petitioner- Appellant/s

Versus

1. The Bihar State Power Holding Company Limited through its Chief Managing Director (Chairman cum Managing Director) Vidyut Bhawan, Bailey Road, Patna.
2. The Managing Director, North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
3. The Deputy General Manager (HR and Administration), Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna.
4. The Chief Electrical Engineer (Rural Electrification), Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna.
5. The Chief Electrical Engineer, Koshi Electric Supply Area Board, Saharsa.
6. The Appellate Authority, Koshi Electric Supply area Board, Saharsa.
7. The Electrical Superintending Engineer, Electric Supply Circle, Saharsa.
8. The Electrical Executive Engineer, Electric Supply Division, Madhepura.

.... Respondents-Respondent/s

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Appearance :

For the Appellant/s : Mr. Bajarangi Lal, Advocate

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 05-08-2016

Re.: Interlocutory Application No.3414 of 2015

The application is for condonation of delay of 41 days
in filing of the present Letters Patent Appeal.

For the reasons mentioned in the application, we find
that sufficient cause is made out for condonation of delay.

Consequently, we condone the delay in filing of the present Letters Patent Appeal.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.805 of 2015

The order dated 06th of February, 2015 is subject matter of challenge in the present Letters Patent Appeal whereby the claim of the appellant for salary from 1st of July, 2012 to 30th of November, 2012 on contract basis after his superannuation was not entertained.

We do not find that any cause is made out for entertaining the claim of remuneration after retirement when as per the appellant, he was engaged on contract basis and that too which has the possibility of being disputed by the respondents. It shall be open to the appellant to avail such as other alternative remedy in accordance with law.

The Letters Patent Appeal, thus, stands dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
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