

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10733 of 2011

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Narendra Kumar Sinha, son of Late Kashi Nath Sinha, resident of mohalla –
Ashok nagar, Road No. 11, P.S. Lohiya Nagar, District Patna

.... Petitioner/s

Versus

1. The Bihar State Electricity Board, Vidyut Bhawan, Patna through its Secretary
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Member (Administration) Bihar State Electricity Board, Vidyut Bhawan, patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Patna
5. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar

For the Respondent/s : Mr. Anand Kumar Ojha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 04-02-2016 Heard Sri Dinu Kumar, learned counsel for the

petitioner and Sri Anand Kumar Ojha, learned counsel, who has

appeared on behalf of the respondent/ Bihar State Electricity

Board.

The petitioner, who superannuated with effect from
31.8.2009 in the capacity of Assistant Controller, has approached
this court by filing the writ petition in the month of July 2011
with a prayer to direct the respondents to make payment of salary
and other monetary benefits to him for the post of Assistant Law
Officer with effect from 11.6.1998 to 5.5.2004 and thereafter pay
monetary benefit treating the petitioner as Law Officer with effect

from 6.5.2004 till the date of superannuation.

Though the claim was made for payment of pay scale of Assistant Law Officer right from the year 1998 it has not been disputed that petitioner continued as Assistant Controller and was receiving salary of the Assistant Controller till the date of his superannuation. It has also been accepted that all the retiral dues treating the petitioner as Assistant Controller has already been settled. Meaning thereby, that for the first time, if for the time being it is accepted that petitioner was having any cause of action which arose some time in the year 1998 itself, he has raised this issue in the year 2011 while he retired in the year 2009. Of-course, Sri Kumar, learned counsel for the petitioner has argued that petitioner repeatedly represented raising his grievance but no communication was made from the ends of the respondents either regarding acceptance or rejection of the claim, whereas in the counter affidavit filed on behalf of the respondents a stand has been taken that decision was taken and claim was rejected, which too has been opposed by the petitioner by filing rejoinder. The fact remains that even if for the time being it is assumed that there was any cause, it arose long back in the year 1998 itself and the petitioner without any plausible reason has approached this court almost two years after his superannuation and as such, on the

principle that if one slumbers over his rights for a longer period ,
he may not get any relief belatedly, I do not find any ground to
entertain the writ petition.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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