

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25004 of 2013

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Sushil Chandra Shrivastava Son Of Late Kamaldeo Narain Resident Of Village
And P.O. Dharampur P.S. Dharampur, District – Darbhanga Petitioner
Versus

1. The State Of Bihar Through The Energy Secretary Govt. Of Bihar, Patna
 2. The Chairman-Cum-Managing Director Bihar State Power Holding Co. Ltd.
Vidyut Bhawan, Bailey Road, Patna
 3. The Managing Director, Bihar State Power Transmission Company Limited,
Vidyut Bhawan, Bailey Road, Patna
 4. The General Manager Cum Chief Engineer Muzaffarpur Thermal Power
Station, L-32/33 Kv Grid Sub-Station Campus, Bhikhanpura, Muzaffarpur
..... Respondents
- =====

Appearance :

For the Petitioner/s : Mr. SAMIR KUMAR SINHA, Advocate
For the Respondent/s : Mr. ANSHUMAN SINGH, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL JUDGMENT

Date: 12-05-2016

The petitioner was dismissed from service of the Board on 7.10.1993 while working as Foreman, Grade-I, though he joined as Telephone mechanic in BTPS on 8.7.1965. While dismissing the petitioner from service the disciplinary authority observed that the petitioner would not be entitled to any other monetary benefit except the subsistence allowance for the period he remained under suspension. Order of dismissal was challenged in the writ petition as well as in the LPA court without success.

The petitioner submits that he is entitled to get the compensatory allowance, gratuity and other benefits in view of Rule 48 of the Bihar Pension Rules, 1950.

Counsel for the respondents submits that the petitioner has

already been paid GPF and GSS amount and he would not be entitled to other retiral benefits as he was dismissed from the service of erstwhile Bihar State Electricity Board.

The petitioner in reply submits that he is entitled to compassionate allowance in light of Rule 46 of the Bihar Pension Rules, 1950 as well as other retiral dues.

Having regard to the facts and circumstances of the case, the writ petition is disposed of with observation that if the petitioner files a detailed representation before respondent no.2 or 3, they would dispose of petitioner's representation in accordance with law by a speaking order within a period three months thereof.

(Samarendra Pratap Singh, J)

Shashi.

AFR/NAFR	
CAV DATE	NA
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