

1. Sheo Warat Sao, S/o Late Baijnath Sao, Resident of Village- Panari, P.O.- Panari, P.S.- Bela, District- Gaya at presently residing at Village- Bhadaunipar, P.O.- Nawada, P.S.- Nawada, District- Nawada.

Versus

- Respondent/s

For the Petitioner/s : Mr. Dharmendra Kumar Sinha
For the Respondent/s : Mr. Vinay Kirti Singh

6 13-05-2016 Heard the counsel for the petitioner and the
respondent -Bihar State Power Holding Company Limited (for
short ‘the Company’) and its functionaries.

The petitioner is getting only 90% pension. A further grievance was raised that he has not been paid the full amount of gratuity. For payment of the dues under the head(s) pension and gratuity the writ petition is filed.

In the counter affidavit, it is stated that the

petitioner has been sanctioned full pension as well as gratuity amount upon his superannuation from service on 31.1.2012. The other retiral dues under the head(s) GSS, leave encashment, GPF and arrear of pension were earlier paid to the petitioner. Annexure-A is the sanction order from which it appears that while making payment of the dues under the head gratuity a sum of Rs. 152203/- has been directed to be recovered. This is on account of having served stealthily beyond his date of superannuation. The counsel for the petitioner prays that a liberty be granted to the petitioner to assail the aforesaid order directing recovery from the retiral benefits (gratuity) of the petitioner by the respondents.

Seen thus, it appears the admissible dues under the head(s) which includes pension and gratuity have already been sanctioned to the petitioner and authorized .

The writ application stands disposed of.

Disposal of this application shall not preclude the petitioner from raising a grievance against such recovery of the amount from the retiral benefits of the petitioner by the respondent-Company.

(Kishore Kumar Mandal, J)

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