

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11429 of 2014

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1. Tek Narayan Mahto S/o Late Prasidh Mahto, resident of Anauli, P.S.-
Bhagwanganj, District- Patna Petitioner/s

Versus

1. The Bihar State Electricity Board, Now South Bihar Power Distribution Limited
through its M.D. Patna
2. The Secretary, Bihar State Electricity Board, Patna
3. The Electrical Executive Engineer, Rajendra Nagar, Patna
4. The Junior Electrical Engineer, Rajendra Nagar, Patna
..... Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 05-05-2016

The writ application is disposed of with an observation that final pension of the petitioner can only be settled after conclusion of the criminal case in which petitioner has been charge-sheeted under various offences under the IPC including 364, 302 etc.

Counsel for the Power Holding Company informs the Court that provisional pension has already been granted. The final settlement, therefore, cannot be made in view of pendency of the criminal case, which is not a matter of dispute.

No sooner the trial court exonerates the petitioner, he has liberty to assert his claim for final pension and payment of gratuity by moving the authorities of the Company.

Writ is disposed of with the above observation.

(Ajay Kumar Tripathi, J)

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CAV DATE	
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