

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1214 of 2015
In
Civil Writ Jurisdiction Case No. 8790 of 2008

1. Mahendra Mallick @ Mahendra Mallik, Son of Late Bipat Mallik,
Resident of Village Dih P.S. Birpur, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar, Mr Brajesh Mehrotra through Industry Department,
Bihar, Patna.
2. Mr. R.K. Shrivastava, G.M. Barauni Thermal Power Station

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar
For the Respondent/s : Mr. Ga1 S.K. Sharma

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

11 26.10.2016 Heard both parties.

Learned counsel appearing for G.M.Barauni submits that only documents of 1989 regarding wages of the petitioner could be made available to him by the officials and there is no any other document available in the concerned office to show this fact what was lastly paid to the petitioner.

Learned counsel appearing for the petitioner points out that before tribunal in cross-examination, petitioner had disclosed that at the time of termination, petitioner was working as sweeper in Inspection Bungalow and he was getting Rs 500/- per month as he was doing full time work and the aforesaid fact has come in the award passed by the tribunal.

In view of the aforesaid submission, it appears that the petitioner has come with specific stand that he was getting Rs 500/-

per month at the time of termination and, therefore, it is obvious that last pay was drawn by the petitioner as Rs 500/- per month.

In view of the aforesaid circumstance, opposite party no.2 is directed to make payment to the petitioner at the rate of Rs 500/- per month in the light of order dated 14.10.2014 passed in I.A. no. 6980/2014 within two months. However, opposite party no.2 may deduct the amount already paid to the petitioner. It is made clear that if opposite party no.2 fails to comply with this order and the petitioner again, comes before this court in contempt matter, matter shall be viewed seriously.

With the aforesaid observations, this petition stands disposed of.

Shahid

(Hemant Kumar Srivastava, J)

U		T	
---	--	---	--