

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6248 of 2008

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Sri Niwash Ojha son of Late Mangaldeo Ojha resident of Mohalla-Rampore
Udai Bhawan, near I.T.I., P.S.-Bahadurpur, Ballia (U.P.)

.... Petitioner/s

Versus

1. The Bihar State Electricity Board through its Secretary, Bihar, Patna.
2. The Chairman, Bihar State Electricity Board, Patna.
3. The Secretary, Bihar State Electricity Board, Patna.
4. The Electrical Superintending Engineer, Transmission Circle, Dehri-on-Sone.
5. The Electric Executive Engineer, Transmission, Ara.
6. The Deputy Director of Accounts (Headquarter), Bihar State Electricity Board.
7. The Account Officer, Transmission Circle, Dehri-on-Sone.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamla Lal Srivastava, Adv.
Mr. Mani Madhukar, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh, Adv.
Mr. Vijay Kumar Verma, Adv.
Mr. Akhileshwar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT
Date: 20-02-2017

Heard learned Counsel for the petitioner and Mr. Vinay Kriti Singh, learned Senior Counsel for Bihar State Power Transmission Company.

The present writ application has been filed for a direction to the respondents for making payment of overtime allowance of 962 hours with interest. The petitioner was working as Assistant Controller in the Bihar State Electricity Board. The petitioner superannuated from the post of Assistant Controller in



Transmission Sub-Division in Dumraon Transmission, Dumraon, Ara on 31.03.2002. Previously, the petitioner had also come to this Court in C.W.J.C. No. 574 of 2007 for payment of overtime allowance in Transmission Circle Dehri-on-Sone. The said writ application was disposed of on 25.07.2007 by a co-ordinate Bench of this Court whereby the Superintending Engineer, Transmission Circle, Dehri-on-Sone was directed to examine the claim of the petitioner and if the same is found to be in order, he shall pass an appropriate order for making payment in favour of the petitioner within a period of four month and consequently payments were made. In the present writ application, the petitioner confines his prayer only for payment of overtime allowance of 962 hours.

Mr. Vinay Kriti Singh, learned Senior Counsel for the Bihar State Power Transmission Company submits that the stand of the company was that the company has taken policy decision to pay 60 % of the total amount which the petitioner was entitled to and on that basis the claim of others in C.W.J.C. No. 11665 of 2006 has been allowed.

Learned counsel for the petitioner submits that the petitioner is ready to accept 60% of the admitted overtime.

It is expected from the Bihar State Power Transmission Company to make the payment of the admitted amount within a



period of two months from the date of receipt/production of the copy of this order.

Accordingly, with the above direction and observation, this writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17/04/2017
Transmission Date	N/A

