

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1935 of 2015  
IN  
Civil Writ Jurisdiction Case No. 8558 of 2014**

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1. Ram Kumar Singh S/o Hari Sevak Singh, R/o Village- Kamdeobigha, P.O.- Jahanabad ( R.S), P.S.- Jahanabad, District- Jahanabad.

.... .... Appellant/s

Versus

1. The South Bihar Power Distribution Company Ltd., Patna through its Managing Director.
2. The General Manager, ( Human Resources and Administration) South Bihar Power Distribution Company Limited, Patna.
3. The Account Officer Pension, S.B. P.D. Co. Ltd., Patna.
4. The General Manager cum Chief Engineer, Patna Electric Supply Unit, Patna.
5. The Dy. General Manager ( Human Resources and Administration) S.B.S.D. Co. Ltd., Patna.
6. The Superintending Engineer, PESU, Patna.
7. The Executive Engineer, Gardanibagh Division, Patna South Bihar Power Distribution Com Ltd., Patna.

.... .... Respondent/s

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**Appearance :**

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

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI  
and  
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

**Date: 27-01-2017**

For the reasons indicated in I. A. No. 8616 of 2015,  
delay of 129 days is condoned.

Thereafter, heard the appeal on merits.

This appeal has been preferred against the order,  
dated 09.04.2015, passed by the Learned Single Judge in C. W. J.  
C. No. 8558 of 2014.

Learned counsel for the appellant submits that some



charge of bribery was leveled against the appellant and for which departmental proceeding was initiated twice over. The charge could not be established and for the said reason, the Learned Single Judge gave a direction for payment of provisional pension, especially when the Vigilance Court has not proceeded in the Criminal Case, which is Vigilance P. S. Case No. 12 of 2008.

The pendency of the criminal case will surely come in the way of the petitioner for final settlement of pension. He has to remain with the provisional pension and will have to take steps to expedite the above Vigilance Case on priority.

No interference is warranted with the impugned order.

Appeal is dismissed.

**(Ajay Kumar Tripathi, J)**

**(Nilu Agrawal, J)**

SKM/-

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| AFR/NAFR          | N.A.F.R.   |
| CAV DATE          |            |
| Uploading Date    | 30.01.2017 |
| Transmission Date |            |

