

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14896 of 2015

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Krishna Kumar Son of Late Markandey Nath Resident of Mohalla - Pirmohani, Opposite Hotel Jaipur, P.S. Kadam Kuan, District - Patna, Presently residing at Flat No. 201, Anand Sri Apartment, Road No. 1, Ravi Chowk, Patel Nagar, P.S. Shastri Nagar, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Energy Department, Government of Bihar, Patna
2. The Additional Secretary Energy Department, Government of Bihar, Patna
3. The Bihar State Power Holding Company Ltd. (Previously Known as Bihar State Electricity Board), Patna through the Chairman - Cum - Managing Director
4. The Chairman - Cum- Managing Director, Bihar State Power Holding Company Ltd. Patna
5. The Chairman - Cum - Managing Director, Bihar State Power Holding Company Ltd. Patna
6. The Bihar State Power Holding Company Ltd., Muzaffarpur through the Managing Director
7. The General Manager - Cum - Chief Engineer, The Bihar State Power Transmission Company Ltd. Transmission Zone - II, Muzaffarpur
8. The Electrical Executive Engineer, Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur
9. The Director Accounts, Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur
10. The Chief Executive officer Kanti Power Generating Company Ltd. (Previously Known as Vaishali Power Generating Company Ltd.), Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur
11. The Additional General Manager (H.R.) Kanti Power Generating Company Ltd. (Previously Known as Vaishali Power Generating Company Ltd.), Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh
For the State	:	Mr. Rajeev Kumar Sinha, AC to AAG 7
For the Board	:	Mr Ajay Kumar Gautam
For the NTPC	:	Mr Anil Kumar Sinha
		Mr Akash Keshav

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

6 19-08-2017 Heard counsel for the petitioner and counsel for the respondents.



This Court is not willing to examine the issue whether the provision in clause 5(e) and (f) or clause (j) of Annexure-1 has been implemented or is required to be implemented since it does not come within the ambit of the retirement benefit claims, especially when the erstwhile State Electricity Board and the NTPC have made categorical statement in their counter affidavit that settlement has already been made in terms of their obligation and entitlement.

If the petitioner is looking for a windfall in terms of those agreement and clauses then he has to look for other method and methodology or forum for getting those provisions operational.

Writ application stands disposed of keeping in mind that the admitted claims stands paid by the Board and the NTPC.

(Ajay Kumar Tripathi, J)

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