

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6961 of 2017

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1. Gobardhan Prasad Singh, Son of Late Baleshwar Prasad Singh, Resident of Village Barahiya, Tola Dhanraj, Ward No. 06, P.S. Barahiya, District-Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Chairman-cum-Director, Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna.
2. The Chairman-cum Director, Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna.
3. The Chief Engineer, (Rural Electrification) Bihar State Power Holding Company Ltd. Patna.
4. The Managing Director, Bihar State Power Holding Company Ltd. Bailey Road, Patna.
5. The Chief Accounts Officer, Bihar State Power Holding Company Ltd. Bailey Road, Patna.
6. The Superintending Engineer, Electric Supply Circle North Bihar Power Supply Distribution Company Limited, Samastipur.
7. The Executive Engineer, North Bihar Power Supply Distribution Company Ltd. Begusarai.
8. The Accounts Officer, Electric Supply Circle, North Bihar Power Supply Distribution company Ltd. Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj

For the Respondent/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-04-2018

In the present writ petition, the petitioner has prayed for grant of remuneration for the period, he had worked.

It is submitted on behalf of the petitioner that on account of non-submission of the progress report etc. by the respondent no. 7 who is the Executive Engineer, North Bihar Power Supply Distribution Company Ltd. Begusarai, the petitioner has not been paid the due remuneration.

The learned counsel for the Company has submitted that he does not have any objection if the case of the petitioner is considered by the C.M.D., Bihar State Power Holding Company Ltd.



It appears from the pleadings of the present case i.e. the writ petition and the counter affidavit that the petitioner is not responsible for non-payment of his outstanding remuneration but the persons situated at the field level are the persons responsible for not sending the progress report etc., which has resulted in the petitioner being not paid the adequate remuneration for the period he had worked. In any view of the matter, since the present case involves disputed question of facts, it would be appropriate to relegate the petitioner to the alternative remedy of filing a representation before the C.M.D., Bihar State Power Holding Company Ltd.

Accordingly, the petitioner is directed to file a representation within a period of four weeks from today which shall be disposed of by the C.M.D., Bihar State Power Holding Company Ltd. within a period of four weeks thereafter considering the fact that the petitioner had retired long back and was re-engaged and had also worked after extension of his re-engagement but he has still been not paid his due remuneration.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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