

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.899 of 2016

In

Civil Writ Jurisdiction Case No. 2783 of 2015

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Bisheshwar Prasad, S/o Late Baleshwar Prasad, At present resident of village-Bulakipur, P.S-Dalsingsarai, District-Samastipur

.... Petitioner/s

Versus

1. The Bihar State Power Holding Company, Through Sri Pratya Amrit Chairman Cum Managing Director Bidhut Bhawan, Bailey Road, Patna.
2. Sri Manish Kumar Verma, The Director, Terminal Benefits, Bihar State Power Holding Company Ltd., Bidhut Bhawan, Bailey Road, Patna.
3. Sri Shankar Jha, The General Manager (HR) North Bihar Power Distribution Co.Ltd. Bidhut Bhawan, Bailey Road,Patna.
4. Sri Vinod Kumar Gupta, The Deputy General Manager (HR-Administration) North Bihar Power Distribution Co. Ltd. Bidhut Bhawan, Bailey Road, Patna.
5. Sri Ajay Kumar, The Deputy General Manager cum Electrical Superintending Engineer, Koshi Electric Supply Area, Saharsa.
6. Sri Balram Singh, The Electrical Superintending Engineer, Electric Supply Circle, Purnea.
7. Sri Madan Gopal, The Accounts Officer, Electric Supply Circle, Purnea.
8. Sri Ramendra kumar, The Electrical Executive Engineer, Electric Supply Division, Purnea.
9. Sri Rahul Kumar, the Assistant Electrical Executive Engineer, Electric Supply Sub-Division, Banmakhi, District-Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sinha, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh, Sr. Adv.

Mr. Vijay Kumar Verma, Adv.

For the N.B.P.D.C. ltd. : Mr. Akhileshwar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 04-10-2018

Heard learned counsel for the parties.

While the learned counsel representing the petitioner submits that the Opposite Parties have not considered to paying



interest on all the claims mentioned in the chart shown at Page No. 6 of the contempt application, learned counsel for the Opposite Parties has pointed out to this Court that it would appear from the order dated 16.02.2015 passed in C.W.J.C. No. 2783 of 2015 that when the petitioner preferred the said writ application at the relevant time, no prayer was made in the writ application for a direction to pay interest over the delayed payment of the gratuity and the pensionary benefits, therefore, in the order of the learned writ Court there is no direction to pay interest on the amount of the gratuity and pension paper to which the petitioner is looking for in the present contempt application.

This Court finds force in the submission of the learned counsel for the opposite parties.

The learned writ Court has taken note of the prayers made in the writ application. This Court does not find any prayer in the writ application seeking a direction to pay interest on the gratuity amount and pensionary benefits.

In the given facts and circumstances, now in the garb of the contempt application, this Court cannot issue fresh directions to make fresh payments. The petitioner may, if so advised, seek his remedy in accordance with law before the competent forum for the payment of statutory interest over the gratuity amount which will be considered by the authority concerned as per law.



This application is disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.OJha/Ved.

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