

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18941 of 2016

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Bal Krishna Shrivastava Son of Late Krishna Prasad, resident of Mohalla Mada Colony Hirapur, Police Station Dhanbad, District Dhanbad (Jharkhand).

.... Petitioner/s

Versus

1. Bihar State Electronic Development Corporation through its Managing Director, Beltron Bhavan, Shastri Nagar, Patna- 23.
2. The Managing Director, Bihar State Electronic Development Corporation, Beltron Bhavan, Shastri Nagar, Patna- 23.
3. The Accounts Officer-cum-Secretary, Bihar State Electronic Development Corporation, Beltron Bhavan, Shastri Nagar, Patna- 23.
4. Managing Director Beltron Managing System Limited, Beltron Bhawan, Shastri Nagar, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19108 of 2016

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Nobina Banerjee, Daughter of Late Kanailal Banerjee 10/2 A, Manohar Pokhar, 2nd Lane, Police Station Lake, District Kolkata, West Bengal.

.... Petitioner/s

Versus

1. Bihar State Electronic Development Corporation through its Managing Director, Beltron Bhavan, Shastri Nagar, Patna - 23.
2. The Managing Director, Bihar State Electronic Development Corporation, Beltron Bhawan, Shastri Nagar, Patna - 23.
3. The Accounts Officer-cum-Secretary, Bihar State Electronic Development Corporation, Beltron Bhawan, Shastri Nagar, Patna - 23.
4. Managing Director Beltron Managing System Limited, Beltron Bhawan, Shastri Nagar, Patna.

.... Respondent/s

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Appearance :

(In CWJC No.18941 of 2016)

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate
For the Respondent/s : Mr. Girijish Kumar, Advocate
For the B.M.S.L. : Mr. Vikas Kumar, Advocate

(In CWJC No.19108 of 2016)

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate
For the Respondent/s : Mr. Girijish Kumar, Advocate
For the B.M.S.L. : Mr. Vikas Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-11-2018



Heard learned counsel for the petitioners; Bihar State Electronic Development Corporation Limited (hereinafter referred to as the 'Corporation') and respondent no. 4.

2. The petitioners have moved the Court seeking retiral benefits.

3. The admitted position is that they were employees of respondent no. 4. The stand in the counter affidavit filed on behalf of respondent no. 4 is that it has become defunct and is not functioning since 1988 and even there are no assets with it, as the lease of the land and building of the Company was dispossessed by the Bokaro Industrial Area Development Authority for which they have filed a writ petition before the Jharkhand High Court in the year 2010 being W.P.C. No. 1442 of 2010.

4. Having regard to the aforesaid, the Court in its present jurisdiction under Article 226 of the Constitution of India is unable to pass any specific order as there is no tangible assets with the respondent no. 4 against which this Court can take action or ensure any payment to the petitioners. Thus, in the opinion of the Court, the appropriate forum for the petitioners would be the Civil Court of competent jurisdiction where a specific order for payment of any amount to the petitioners can be passed against respondent no. 4. Thereafter it would be open to the petitioners to get the decree in



their favour executed through the process of the Court, in accordance with law.

5. In view thereof, the writ petitions stand disposed off with the observation aforesaid.

(Ahsanuddin Amanullah, J.)

P. Kumar

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