

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1540 of 2017

In
Civil Writ Jurisdiction Case No.562 of 2015

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Rajnee Kant Sinha, son of Late Chandra Shekhar Prasad, L/Z, 25 P.I.T Colony, P.S.- Patrakarnagar, Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Limited through its Chief Managing Director, Vidyut Bhawan, Bailey Road, Patna, namely, Pratya Amrit.
2. The Managing Director, North Bihar Power Distribution Company, Bailey Road, Patna, namely Sandeep Kumar R Pudkalkatti.
3. The General Manager, North Bihar Power Distribution Company, Bailey Road, Patna, namely Shankar Jha
4. The Financial Controller, North Bihar Power Distribution Company, Bailey Road, Patna, namely Anurag
5. The Executive Engineer, Electric Supply Division, Sitamarhi, namely Ritesh Kumar.
6. The Assistant Electrical Engineer, Sub-Divisional Office, Runnisaidpur, District- Sitamarhi, namely Nilesh Kumar.
7. The Executive Engineer, Electric Supply Division, Araria, Ajay Kumar No.1

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar, Adv.
For the Power Holding Com.	:	Ms.Namrta Mishra, Adv.
		Ms. Archana Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 27-02-2020 Heard both sides.

Petitioner filed this petition for initiation of a contempt proceeding against opposite party no.3, the General Manager, North Bihar Power Distribution Company, Bailey Road, Patna for willfully disobeying and discarding the order dated 05.05.2016 passed in CWJC No.562 of 2015.



The operative portion of order dated 05.05.2016 passed in CWJC No.562 of 2015 is as follows:-

“Having heard the parties, the writ application stands disposed of granting the petitioner liberty to approach the respondent by filing representation for payment of the gratuity amount. If any such application/representation is filed, the respondent-General Manager (respondent no.3) shall examine the same and take appropriate decision thereon as quickly as possible preferably within two months of such filing.”

Learned counsel for the petitioner submits that from page 12 and 13 of 3rd show-cause, it would appear that most of the amount has been deducted from the gratuity of the petitioner. The petitioner has also been inflicted with punishment in departmental proceeding and his one per cent pension has been deducted, but I find that this court did not give any direction not to deduct or pass any order in the departmental proceeding. This court directed the General Manager (respondent no.3) to dispose of the representation of the petitioner and take appropriate decision within two months. The decision has already been taken. If the petitioner is aggrieved by the decision inflicting punishment withholding any part of pension and the amount of gratuity on the allegation of defalcation by the petitioner, the petitioner may file fresh writ petition but I find that no further action is required to be taken



as the representation of the petitioner has already been disposed of. Accordingly this contempt petition is dismissed with the aforesaid liberty.

(Prabhat Kumar Jha, J)

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