

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 673 of 2021

Arun Kumar Roy (M) aged about 61 years son of Late Kapildeo Rai R/O,
Mohalla-New Itwarpur Yadav Chowk Kurthaul, P.S.-Parsa Bazar, District-
Patna.

... .. Petitioner/s

Versus

1. The Department of Energy through the Principal Secretary, Govt. of Bihar, Patna
2. The Principal Secretary Department of Energy Govt. of Bihar Patna
3. The Bihar State Hydro Electric Power Corporation Limited through its Managing Director, Patna
4. The Managing Director Bihar Hydro Electric Power Corporation Limited Sone Bhawan, 2nd Floor, Birchand Patel Marg, Patna.
5. The Manager (Personal & Administration) Bihar State Hydroelectric Power Corporation Ltd. Sone Bhawan, 2nd Flood, Birchand Patel Marg, Patna.

.. ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary, Adv.
For the State	:	Mr. Md. Abbas Haider, SC-6
For the Corporation	:	Mr. Awanish Nandan Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 21-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.



The present writ petition has been filed for payment of the amount of leave encashment, gratuity, arrears of dearness allowance and the amount of medical bills, which have not been paid to the petitioner despite him having retired on 31.01.2019, while posted as Assistant Manager, Bihar State Hydro Electric Power Corporation Ltd.

The learned counsel for the respondent Corporation, Sri Awanish Nandan Sinha, has submitted that the gratuity amount to the tune of Rs. 7,35,792/-, the amount of G.S.L.I. and the amount of leave encashment totaling to a sum of Rs. 6,12,740/-, have already been paid to the petitioner and as far as the arrears of dearness allowance is concerned, the same has not been paid on account of paucity of fund & moreover, no other retired personnel has been paid the same.

At this juncture, the learned counsel for the petitioner, Sri Tiwary, submits that the gratuity has been calculated considering dearness allowance @ 119%, however, the same should be



142%, hence, the Respondents be directed to furnish a calculation chart so that the petitioner can acquaint himself about the discrepancies, if any and in that case he be granted liberty to agitate his grievances before the Respondent-Corporation.

Accordingly, the present writ petition stands disposed of with a direction to the Respondent-Corporation to furnish a calculation chart to the petitioner regarding the computation of the amount of gratuity, within a period of four weeks from today, whereafter the petitioner would be entitled to agitate his subsisting grievances before the Respondent-Corporation and the Respondent-Corporation would be obliged to consider the representation of the petitioner, in accordance with law, and dispose of the same expeditiously.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

