

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7856 of 2021

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Birendra Prasad S/o Mahavir Singh village and Post - Lao, P.S. - Tekari, District - Gaya (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar.
3. The Principal Secretary, Department of Energy, Government of Bihar.
4. The Chairman/Managing Director, Bihar State Power Holding (Generation) company Ltd. Vidut Bhawan, Bailey Road, Patna.
5. The General Manager, Human Resources and Administration Bihar State Power Holding (Generation) Company Ltd. Vidut Bhawan, Bailey Road, Patna.
6. The Senior Manager (Finance and Account) B.T.P.S. Cell Barak No. - 04, Board Colony, New Punichak, Patna.
7. The Executive Engineer, B.T.P.S., Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Upadhyay, Advocate
For the Respondent/s : Mr. Subhash Prasad Singh (GA 3)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 14-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

Service of notice to respondent nos. 1 to 3 stands dismissed since they are not necessary and proper party in the present petition.

In the instant petition, petitioner has prayed for the following relief(s):-



“(i) For the respondents be directed to pay overtime salary/ allowance for the period October 2013 +to Dec 201 of Aug 2013 to April 2019 separately or year-Wise as per the prescribed rule of Bihar Electricity Board.

(ii) For the respondents be directed to pay Compound interest @ 9% per annum over the amount for which petitioner is entitled since date of entitlement to till date of payment.

(ii) Any other relief reliefs as your or lordships may deem fit and proper in the facts and circumstances.”

In support of the aforesaid reliefs petitioner has submitted representations on 16.10.2020 and 12.11.2020 (Annexure-4 series). He is relying on detailed statement of overtime work discharged by him. The sixth respondent who is stated to be competent authority in respect of extending overtime allowance/emoluments. Therefore, sixth respondent is hereby directed to examine the relevant records and petitioner's representations cited above and decide the issue. If the petitioner is entitled in that event monetary benefits for overtime work shall be calculated and disbursed to the petitioner. If he is not entitled necessary speaking order shall be passed and communicated to the petitioner as to why the petitioner is not entitled to overtime allowance/pay within a period of three months from today.



With the aforesaid observations, the present writ petition
stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

