

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14855 of 2021

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Anjani Kumar Sinha son of Late Satya Narayan Prasad R/o Vill- Naveen Colony, Sant Kabir Road Banu, Chapra, P.S.- Bettiah Mufassil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Energy, 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 (Personnel and Administration) Bihar Hydroelectric Power Corporation Ltd. Sone Bhawan, 2nd Floor, Birchand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary, Adv.
For the State	:	Mr. Wasi Mohammad, AC to SC-6.
For the Res. No.3 to 5	:	Mritunjay Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-01-2023 Learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar State Hydro Electric Power Corporation Limited are present.

Admittedly the petitioner has joined as a Junior Account Clerk in Bihar State Hydro Electric Power Corporation in the year 1984 and was retired on 30.11.2013.

Counsel for the petitioner submits that petitioner has filed representation in the year 2013 itself regarding sanction of leave encashment but there was response no from his side,

thereafter, he has filed repeated representation in the year 2014 and then in the year 2019 and lastly filed the present writ application, only thereafter, the leave encashment of petitioner has been calculated and paid. He further submits that there is no interest added on the same and according to him 18 % per annum interest be directed to be paid.

Counsel for the Bihar State Hydro Electric Power Corporation Limited submits that as soon as copy of writ application has been filed, the Corporation has taken immediate action and ensured the payment of leave encashment to the petitioner. He further submits that there is no statutory provision to pay interest on the leave encashment. He also submits that the financial position of Bihar State Hydro Electric Power Corporation Limited is not good and there is revival process going on.

In the above mentioned facts and circumstances and consideration that the leave encashment amount has been paid, this application is disposed off with liberty to the petitioner that in case if other persons has been granted interest on leave encashment then his case may also be considered by the Corporation. In this regard he may file representation before the Corporation within 4 weeks from today and the Respondent

no.3 & 4 are directed dispose of the said representation within 6 weeks and ensure payment within 4 weeks thereafter.

With this direction, the writ application is hereby disposed off.

(Dr. Anshuman, J.)

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