

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3014 of 2019

Hiria Devi W/o Late Lokanath Prasad Resident of Mohalla Sohdi, P.S and
PO Sohsarai, District Nalanda

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Ltd and Ors Through Chief Manager Director Vidyut Bhawan Bailey Road Patna
2. The Chairman Cum Managing Director Bihar State Power holding company Limited Vidyut Bhawan Bailey Road
3. The Managing Director south bihar Power Distribution Co.Ltd Bailey Road Patna
4. The Financial Controller South Bihar Distribution Company Ltd Vidyut Bhawan Bailey Road, Patna
5. The General Manager South Bihar Power Distribution Co. Ltd Vidyut Bhawan, Bailey Road Patna
6. The Superintending Engineer ,Transmission ,Bihar Sharif Nalanda Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate.
For the Respondent/s : Mr. Ajay Kumar Gautam, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 23-06-2023

Heard Mr. Satya Ranjan Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Ajay Kumar
Gautam, learned counsel appearing on behalf of the
respondents.

2. The present writ petition has been filed for the
following reliefs:

- I. To implement the order (Holding) Company Limited, Vidyut Bhawan, Patna (Respondent No.2) for payment of family pension to the petitioner forthwith.
- II. To direct the concerned Respondents to release the Gratuity, Encashment of Earned Leave and Pension Arrear with interest etc. forthwith.



III. To grant any other relief / reliefs which the petitioner may be entitled in the facts and circumstances of the case.

3. Learned counsel appearing on behalf of the petitioner informs this Court that all the retiral dues admissible to the petitioner has been paid which was payable to her husband who had died on 07.07.2018. Petitioner has claimed that she is entitled for interest on delayed payment of pensionary benefits.

4. Per contra, learned counsel appearing on behalf of the respondents informs this Court that during the life time of the petitioner, a departmental proceeding was initiated and the deceased employee was also inflicted punishment. The record reveals that against the punishment order, the deceased employee had filed an appeal and during the pendency of the said appeal, the deceased employee died in the year 2018.

5. Considering the rival submissions made by the parties, this Court finds that the petitioner is entitled for interest. Though no final order was passed due to the reason that husband of the petitioner had died during the pendency of the appeal, the petitioner, if so advised, may file a detailed representation for claiming statutory interest. The concerned authority is expected to dispose of the representation of the petitioner within a period of six weeks and shall also make



payment of interest at the admissible rate in accordance with law.

6. Accordingly, the writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	29.06.2023
Transmission Date	N.A.

