IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8107 of 2022

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Bijay Kumar, S/o Baldeo Prasad, R/o Mohalla - Professor Colony, North Shastri Nagar, Patel Path, P.S. - Shastri Nagar, Dist - Patna At present - Ashokpuri near Blue Bells School, A.G. Colony, P.S. - Danapur, Dist. - 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 (Personnel and Administration), Bihar State 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, Advocate
For the Respondent/s	:	Mr. Sushant Praveer, Advocate
For the Respondent Nos. 3 to 5	:	Mr. Mritunjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 03-09-2024

Heard the parties.

2. The petitioner, superannuated on 28.02.2022, while he was officiating as Manager (Accounts) from the Bihar State Hydro Electric Power Corporation Limited. On being dissatisfied with the inaction of the respondent Corporation in not conferring his rightful retiral benefits, approached before this Court seeking a direction upon the respondent Corporation and its officials to ensure all the

admissible dues/benefits.

3. Learned Advocate for the Corporation fairly submitted that as per the instruction made on behalf of the Corporation, an amount of Rs. 1,14,954/- under the GSLI has been paid to the petitioner on 13.04.2022. An amount of Rs. 20,00,000/- under the head of gratuity has also been paid vide Cheque No. 188528 dated 29.09.2022. The petitioner has also been accorded an amount of Rs. 10,67,860/- under the head of earned leave vide two cheques, i.e. Cheque No. 816290 dated 22.08.2022 and Cheque No. 188630 dated 07.12.2022, respectively. It is further contended that for payment of provident fund as well as fixation of pension, the form of 10D has been sent to the Employees Provident Fund Office, R-Block, Patna. So far the arrears of dearness allowances is concerned, the same has not been paid on account of paucity of fund is the contention of the learned Advocate for the Corporation.

4. Considering the submissions advanced on behalf of the learned Advocate for the Corporation which has not been refuted by the learned Advocate for the petitioner, the present writ petition stands disposed off with a direction to respondent nos. 3, 4 and 5 to ensure the payment of differential amount of dearness allowance, preferably within a period of twelve weeks,

from the date of receipt/production of a copy of this order.

5. Suffice it to say that in case of any delay in payment of the remaining dearness allowance that would attract statutory interest.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2024
Transmission Date	NA