

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17418 of 2021

Shishir Kumar Son of Late Mithilesh Kumar Sinha, Resident of Saidpur Nahar Road, P.S. Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar State Electricity Board Patna.
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Patna.
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Patna.
4. The General Manager-Cum- Chief Engineer, Bihar State Electricity Board, Vidyut Bhawan, Patna.
5. The Account Officer, Bihar State Electricity Board, Vidyut Bhawan, Patna.
6. The Electrical Executive Engineer, Electric Supply Division, Kankarbagh, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar No. 1, Advocate
For the Respondent/s : Mr. Lokesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

9 14-11-2024 The father of the petitioner died in harness on 30.09.2005 while he was working as Head Clerk in Kankarbagh Electricity Office, Electricity Board, Patna.

2. It is submitted that the wife of the erstwhile employee also died on 06.03.2010. Despite the aforesaid fact of sudden demise of the father of the petitioner way back in the year 2005 when the death-cum-retiral gratuity has not been accorded to the legal heirs of the erstwhile employee, the petitioner being the son approached before this Court seeking a direction upon the concerned respondent to ensure payment of



death-cum-retiral gratuity and other benefits with interest.

3. Mr. Lokesh Kumar Singh, learned Advocate representing the South Bihar Power Distribution Company Limited has contended that after the death of the late Mithilesh Kumar Sinha, the erstwhile employee, the respondents vide its letter no. 595 dated 24.07.2006 had sanctioned the DCR gratuity amount of Rs.3,39,379/- in the name of late mother of the petitioner. The total sanctioned amount of DCR gratuity was Rs.3,50,000/-, but due to excess payment of salary of Rs.10,621/- to the erstwhile employee, the same has been deducted and an amount of Rs.3,39,379/- has been sanctioned. It is further contended that after the death of the mother of the petitioner, the petitioner's brother applied for payment of gratuity and on his request the respondents processed the claim of the petitioner and issued letter no.194 dated 17.06.2022 directing the Electrical Executive Engineer, Electric Supply Division, Kankarbagh-2 to sanction the gratuity amount for payment of the same to all the three legal heirs. The legal heirs have also been informed by the authority through letters dated 02.06.2022. It is further contended that finally the entire gratuity amount has been paid to the legal heirs proportionately on 21.10.2022.



4. In view of the specific averments made in the counter affidavit, the writ petition stands closed.

(Harish Kumar, J)

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