

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2640 of 2020

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Mithilesh Kumar Lal, S/o Late Ramlochan Lal, Village Makhanpur, P.O. Mirzapur, P.S. Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Ltd.) through its Chief Managing Director, Patna.
2. The Managing Director North Bihar State Power (Holding) Company Ltd., Patna.
3. The Deputy General Manager, (Human Resources and Administration) North Bihar State Power Distribution Company Limited, Vidyut Bhawan, Patna.
4. The General Manager-cum Chief Engineer, Mithila Electric Supply Area (unit), Darbhanga.
5. The Electrical Superintending Engineer, Electrical Supply Circle (Rural) Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amarendra Narayan, Adv.
	:	Mr. Deepak Kumar, Adv.
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Adv.
	:	Mr. Akhileshwar Singh, Adv.
	:	Mr. Venkatesh Kirti, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 25-01-2024 Heard learned counsel for the petitioner and learned senior counsel for the Bihar State Power Holding Company Ltd..

2. Counsel for the petitioner submits that in the writ petition, he has made prayer two folds. The first is for quashing the letter No. 124 dated 21.01.2019 by which the respondent has refused to pay salary and benefits of that period which is Annexure-1 of the writ petition. The second relief has been



made that petitioner has sought to grant ACPs and extended consequential monetary benefits attached treating him in regularized service including the difference of pension, terminal benefits, etc.

3. Counsel further submits that petitioner's relief granted in the Tribunal, has been well accepted by the management respondent as per order dated 10.02.2017 passed in C.W.J.C. No. 14404 of 2003. Counsel further submits that all the reliefs treating the petitioner in regular service, has not been granted and it is due to this reason only one part that is non-payment of salary treating him in unauthorized absence with effect from 31.12.1991 to 07.12.1992 was not considered and rejected vide Annexure-1 of the writ petition.

4. Counsel further submits that direction may be given to the respondent authorities to consider his other claims relating to promotion treating him in regular service in the light of the order passed in the Tribunal as well as undertakings given by the respondent before this Hon'ble Court.

5. Learned senior counsel for the Bihar State Power Holding Company Ltd. submits that petitioner is not entitled for any relief. He submits that the decision contained in Order No. 615 dated 03.08.2014 is very clear by which it transpires that all



the grievances of the union and its employee have already been considered and there are nothing dues of the petitioner.

6. Counsel for the petitioner submits that the said order has not been communicated to the petitioner and his individual grievance has not been considered at all. Therefore, at least, an opportunity be granted to him so that the authority may take a decision on the grievances of the petitioner.

7. In this background, this writ petition is hereby disposed off without deciding anything on merit and interfere in Annexure-1 of the writ petition which has been passed by the Board with liberty granted to the petitioner that he shall file representation so far as his grant of promotion and other benefits by way of relief 1(2), he has made in the writ petition, before the North Bihar Power Distribution Company Ltd. (respondent No.3) within 30 days, who shall pass a reasoned and speaking order within 90 days.

8. With the aforesaid direction, the present writ application is hereby disposed off.

(Dr. Anshuman, J.)

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