

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3813 of 2022

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1. Anup Kumar S/o - Janardan Prasad R/o - Vill - Purankama, P.S. - Sheikhpura, Dist- Sheikhpura.
 2. Md. Shekh Raju S/o - Md. Shekh Ajbul R/o - Near BMP - 2, Hydal Colony, Bastipur, P.S. - Dehri - On-Sone, Dis - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Dept of Energy, Government of Bihar, Patna.
2. The Principal Secretary, Department of Energy, Govt. of Bihar, Patna.
3. The Bihar State Hydra Electric Power Corporation Limited Through its Managing Director, Sone Bhawan, 2nd Floor, Birchand Patel Marg, Patna.
4. The Managing Director, Bihar Hydra Electric Power Corporation Limited Sone Bhawan, 2nd floor, Birchand Patel Marg, Patna.
5. The Manager (Personnel and Administration) Bihar State Hydroelectric Power Corporation Ltd. Son Bhawan, 2nd floor, Birchand Patel Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
For the Respondent/s : Mr. Abbas Haider (SC-6)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 12-01-2026 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for Bihar State Hydro Electric Power Corporation Ltd.

2. The present writ petition has been filed for the following relief(s):-

“That the instant application is being filed for issuance of appropriate writ/writs, order/orders, direction/directions to the Respondent Authority to grant the



following relief to the petitioners:-

(i) In the nature of "Mandamus" directing and commanding the Respondent authorities to treat the petitioners the regular employees of Bihar State Hydroelectric Power Corporation Ltd, Patna and grant the petitioners the basic pay of Rs. 7,730/- along with grade pay of 1900/-with admissible Dearness Allowance as being provided to all the employees of the Corporation which is at present @ 189% of Basic Pay.

(ii) In the nature of "Mandamus" directing and commanding the respondent authorities also to grant the petitioners with the admissible annual increment which has not been paid til date.

(iii) In the nature of "Mandamus" also to grant the petitioners others entitled benefit like medical, G.L.S.I. and the benefit of Gratuity as applicable to the other regular employees of the Corporation treating the petitioners as like.

(iv) In the nature of "Mandamus" directing and commanding the Respondent Authorities to calculate the due arrear of salary after rectifying the



anomalies and pay the same forthwith which is being denied to the petitioners.

(v) For Issuance of any other relief or reliefs for which the Petitioners are entitled for in the fact and circumstances of the instant case.”

3. Learned counsel for the petitioners submit that the petitioners' representation has been pending before the Respondent no.4 since long, and no decision has been taken as yet. Counsel relied on the order passed by this Hon'ble Court passed in C.W.J.C. No. 7170 of 2020 (Madhukar Vs. The State of Bihar & Ors.) which was disposed of *vide* order dated 19.08.2020 directing the respondents to ensure payment of arrears of salary and current salary within a maximum period of sixty days from the date of receipt/production of a copy of the order, failing which, the petitioner shall be entitled to payment of interest @ 9 % from the date of accrual to the date of actual payment. It has also been observed in the said order that in the event, the respondents deny the salary; they are obliged to assign reason after opportunity of hearing to the petitioner.

4. Learned counsel appearing for Bihar State Hydro Electric Power Corporation Ltd. submits that the relief sought for in C.W.J.C. No. 7170 of 2020 and in the present writ petition



are different. Therefore, the same observation made in that writ petition may not be allowed in this writ petition.

5. In the light of the submissions made, the petitioners are hereby directed to file a fresh representation before the Managing Director, Bihar Hydro Electric Power Corporation Limited Sone Bhawan, 2nd floor, Birchand Patel Marg, Patna (Respondent no.4) who shall consider the same. If, it has been found that there is a dues of salary part then it shall be paid to the petitioners within 60 days as observed in the writ petition mentioned above. But, so far as other arrears are concerned, the respondent no.4 is directed to pass a reasoned and speaking order within the said period.

6. Accordingly, with the aforesaid direction, the present writ petition stands disposed off.

(Dr. Anshuman, J)

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