
(2011) 12 JH CK 0060
In the Jharkhand High Court
Case No : W.P.S. No. 5393 of 2011

Bhupendra Prasad

APPELLANT

Vs

Jharkhand State Electricity Board and Others

RESPONDENT

Date of Decision : 20-12-2011

Acts Referred:

Citation : (2011) 12 JH CK 0060

Hon'ble Judges : Prashant Kumar, J

Bench : Single Bench

Judgement

Prashant Kumar

1. It is submitted that petitioner was made to retire with effect from 29.10.1998. The said order was challenged by the petitioner in the Patna High Court by filing writ application being C.W.J.C.No. 7933 of 1999. Aforesaid writ application was disposed of by Annexure-1 and the earlier order passed by Bihar State Electricity Board, by which petitioner was made to retire from 29.10.98, has been quashed. Hon'ble Patna High Court further directed that petitioner will continue in service till 31.10.2000 and he is entitled to get all benefits including pay and other allowances for the period during which he remain out of service. It appears from Annexure-3, that L.P.A. filed against the aforesaid order has been withdrawn by Bihar State Electricity Board, thus, aforesaid order become final.

2. It is submitted that inspite of the aforesaid judgment petitioner has not been reinstated, nor his salary and other allowances has been paid till date. It is further submitted that petitioner filed representation before Chairman, Jharkhand State Electricity Board, because after passing order in C.W.J.C.No. 7933 of 1999, Bihar Re-organization Act came into force, consequently Bihar State Electricity Board bifurcated into two parts i.e. Bihar State Electricity Board as well as Jharkhand State Electricity Board. It is submitted that petitioner is entitled to get said benefits from the Jharkhand State Electricity Board because, petitioner was posted in Gumla. It is also submitted petitioner's representation (Annexure -4/1), is still also pending.

3. In view of the aforesaid facts and circumstance, I direct the Chairman, Jharkhand State Electricity Board to dispose of the representation of the petitioner, by speaking order within five weeks from today.
4. Let a copy of this order be handed over to Mr. Mukesh Kumar Sinha, learned counsel for the Jharkhand State Electricity Board for its onward communication to the Chairman, Jharkhand State Electricity Board.