

(2011) 10 JH CK 0024
In the Jharkhand High Court
Case No : Writ Petition (S) No. 5328 of 2011

Lagnu Kumar

APPELLANT

Vs

Jharkhand State Electricity Board and others

RESPONDENT

Date of Decision : 10-10-2011

Acts Referred:

Citation : (2011) 10 JH CK 0024

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Judgement

D.N. Patel

1. Counsel for the petitioner submitted that petitioner has retired on 31st August, 2007 as Meter Reader and he has not got his final pension and final gratuity, rather he is getting provisional pension and provisional gratuity. It is also submitted that unnecessary the respondents are not completing the departmental proceeding which has been initiated more than two years earlier and therefore, suitable direction may be given to respondent No.2 to finalize the pension and gratuity by completing the departmental proceeding within a stipulated period of time.

2. Counsel for the respondents has no much objection if such a direction is given to respondent No.2 to complete the departmental proceeding pending against the petitioner and finalize his pension and gratuity within a stipulated period as decided by the Court.

3. In view of this limited submissions, I hereby direct respondent No.2 - Director (Personnel), Jharkhand State Electricity Board, Ranchi to finally fix the amount of pension as well as gratuity legally payable to the petitioner and if the reason for not fixing the same is only the pendency of departmental proceeding, it ought to have been kept in the mind of respondent No.2 that in a departmental proceeding, which is pending for the last approximately two years, all care should have been taken by him in such type of cases so that the departmental

proceeding must be completed within a few months. If the departmental proceeding is pending and it is not going to be completed in the near future, the respondent No.2 is directed to finalize the amount of pension and gratuity in accordance law, rules, regulation, policies and Government enforceable orders, applicable to the petitioner, as expeditiously as possible and practicable preferably within a period of six weeks from the date of receipt of a copy of this order after giving and adequate opportunity of being heard to the petitioner or his representative.

4. With the aforesaid directions and observations, this writ application is disposed of.