

(2004) 07 JH CK 0073

In the Jharkhand High Court

Case No : Writ Petition (S) No. 3453 of 2004

Shambhu Nath Roy

APPELLANT

Vs

Jharkhand State Electricity Board and Others

RESPONDENT

Date of Decision : 26-07-2004

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2005) 1 JCR 316

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Advocate : Kailash Prasad Deo, for the Appellant; Ajit Kumar, for the Respondent

Judgement

R.K. Merathia, J.—Heard the parties.

2. Petitioner prays for payment of balance amount gratuity amounting to Rs. 3050/- and to commute 40% of his pension.

2. The grievance of the petitioner is that after order was passed on 26.2.2004 in W.P. (S) No. 1111 of 2004 he made representation on 30.4.2004 to the Electricity Executive Engineer the Secretary and the Chairman but he has not received any reply to the same, though the said representation was to be disposed of as per the order dated 26.2.2004 within two months from the date of receipt of the said order. Learned counsel for the petitioner submits that petitioner was verbally told by the Electrical Executive Engineer that he is not the competent authority and, therefore, the matter has been referred to the competent authority. Thereafter petitioner sent copies of the representation to the Secretary and Chairman also.

4. Mr. Ajit Kumar, learned counsel for the respondents submits that the General Manager, Dumka is competent to look into the matter.

5. In the circumstances, petitioner should make a detailed representation before the General Manager, Jharkhand State Electricity Board, Dumka. If General

Manager is not competent he will forward the matter to the competent authority without any delay. The General Manager/Competent Authority will pass orders on petitioner's representation in accordance with law, if not already passed on petitioner's earlier representation dated 30.4.2004.

6. If the claim of the petitioner is found to be valid necessary orders should be passed in that regard. If it is found that his claim is not valid, reasons thereof should be communicated to him.

7. This exercise should be completed within six weeks from the date of receipt of such representation by the respondents.

8. It is made clear that this Court has not gone into the merits of case of the petitioner.

9. With these observations and directions, this writ petition is disposed of.