
(2001) 09 JH CK 0033
In the Jharkhand High Court
Case No : WP (S) No. 4322 of 2001

Shamsul Hoda

APPELLANT

Vs

Jharkhand State Electricity Board and Others

RESPONDENT

Date of Decision : 11-09-2001

Acts Referred:

Bihar Reorganisation Act, 2000 — Section 53, 72

Citation : (2001) 09 JH CK 0033

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : Dhananjay Kumar Pathak, for the Appellant; Ajit Kumar, I. Sen Choudhary, for the Respondent

Final Decision : Dismissed

Judgement

By the Court

1. Counsel for the petitioner is permitted to implead B.S.E.B. through its Chairman. Vidyut Bhawan Baily Road, Patna as respondent No. 6 in this case.
2. Mr. Ajit Kumar accepts notice on be- half of respondent No. 6.
3. As the matter relates to payment of retiral benefits and requires a decision by the competent authority, at the first instance, the case is disposed of at the stage of admission.
4. According to the petitioner he was in the services of the Bihar State Electricity Board and retired on 31st of December, 2000 as sectional clerk from the office of the Electrical Executive Engineer, Electric Supply Division, Giridih (South), Giridih.
5. While in service he was placed under suspension, which was subsequently revoked by the Bihar State Electricity Board vide its order No. 2125/2000 dated 19.7.2001.
6. The grievance of the petitioner is that the authorities have not yet paid the

retiral benefits, which the petitioner is entitled under the law.

7. Mrs. Indrani Sen Choudhary, counsel for the services of B.S.E.B., he should approach the competent authority of B.S.E.B. at Patna.

8. Having regard to the facts and circumstances, the petitioner is given liberty to approach the Secretary, B.S.E.B., Patna, who is required to determine the claim and pay the admitted retiral benefits within 3 months from the date of receipt/production of the copy of this order. On failure, respondents will be liable to pay interest @5% per annum, to be counted from the date of retirement.

9. If due to pendency of any criminal case/departmental proceeding, it is not possible for the authority to finalise the pension/ gratuity, he will release provisional pension/gratuity, which the petitioner is entitled under the law.

10. Further, if the respondents dispute any claim/part thereof, will forward the ground to the petitioner within the aforesaid period of three months.

11. The petitioner will produce a copy of this order to the Electrical Engineer. Electric Supply Division, Jharkhand State Electricity Board, Giridih (South) Giridih. who will cooperate and if necessary will forward all relevant facts/documents to B.S.E.B.. to ensure payment of admitted dues in favour of the petitioner.

12. The writ application stands disposed of with the above observation and direction.

13. Disposed of accordingly.