

(2005) 12 JH CK 0012
In the Jharkhand High Court
Case No : Writ Petition (S) No. 4885 of 2005

Shyamlal Prasad Atul

APPELLANT

Vs

Jharkhand State Electricity Board and Others

RESPONDENT

Date of Decision : 02-12-2005

Acts Referred:

Citation : (2006) 1 JCR 351

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

Bench : Single Bench

Advocate : Vandana Singh, for the Appellant; A.K. Jha, for the Respondent

Judgement

S.J. Mukhopadhaya, A.C.J.

1. This writ has been preferred by the petitioner for a direction on the respondents to pay him the retiral benefits including 90 percent pension, GSS gratuity, leave encashment and other dues, such as transfer T-A and medical reimbursement amount.

2. It appears that the petitioner retired from service of the Jharkhand State Electricity Board (hereinafter referred to as the JSEB) as Additional Electrical Engineer, Electric Supply Area Dhanbad, on 31st December, 2001. A departmental proceeding was initiated against him, which could not come to an end by the date he retired.

3. Learned Counsel for the petitioner informed that a penal order of deduction of 10 percent pension has been passed by the authority, but no such order has been enclosed.

4. In the facts and circumstances, without giving any finding on merit, the case is remitted to the Secretary, JSEB, Ranchi, to decide the question of payment of the aforesaid retiral benefits and other dues as claimed by the petitioner and to pay the admitted dues within a period of three months from the date of receipt of representation as may be preferred by the petitioner along with a copy of this

order.

5. On failure, the respondents will be liable to pay interest at the rate of 5 percent on the admitted retiral dues from the date of filing of representation i.e. 30.8.2005. On the other hand, if the authority disputes the claim or part thereof, will communicate the ground to the petitioner.

6. The writ petition stands disposed of with the aforesaid observation and direction.