

Meera Devi Vs. Jharkhand State Electricity Board Through Its Chairman and ors.

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SooperKanoon Citation : sooperkanoon.com/521671

Court : Jharkhand

Decided On : Dec-03-2007

Reported in : [2008(2)JCR396(Jhr)]

Judge : N.N. Tiwari, J.

Appellant : Meera Devi

Respondent : Jharkhand State Electricity Board Through Its Chairman and ors.

Judgement :

ORDER

N.N. Tiwari, J.

1. In this writ petition the petitioner has prayed for a direction on the respondents to pay the arrears of retiral dues payable to her after the death of her husband. It has been stated that the petitioner's husband died in harness in the year 1988. After the death of her husband, the petitioner was entitled to get all the death-cum-retiral benefits of her late husband. But in spite of repeated requests and representations, the amounts such as final pension, revised pension, revised D.C.R, gratuity, 'leave encashment, G.S.S. difference of pension and G.I.S have not been paid to the petitioner.

2. A counter-affidavit has been filed on behalf of the Bihar State Electricity Board (BSEB) stating, inter alia, that the petitioner has been getting pension from the Office of the Electrical Executive Engineer, Electric Supply Division, Sahebgang within the jurisdiction of the Jharkhand State Electricity Board (JSEB) and as such the entire dues are payable by the JSEB in view of the Central Government Letter No. 42/6/05- R&R; dated 3.11.2006. A counter-affidavit has also been filed on behalf of the JSEB stating, inter alia, that the petitioners's husband died on 18.12.1988 while posted at Division Electric Supply Officer Urban, Gaya (Bihar) and no records are available with the JSEB which are required for calculation and payment of the said benefits/dues claimed by the petitioner. It has been stated that the BSEB should provide all the relevant records to the JSEB so that the petitioner's claims can be calculated and necessary action can be taken.

3. After hearing learned Counsel for the parties and considering the materials on record, this writ petition is disposed of directing the General Manager, Bihar State Electricity Board, Circle Gaya (Bihar) (respondent No. 4) to send all the necessary documents required for calculation of the claims of the petitioner to the General Manager-cum-Chief Engineer, Dumka Electric Supply Area, Dumka (Jharkhand) (respondent No. 6) within a period of six weeks from the date of receipt/production of a copy of this order. On receipt of all the required documents, the respondent No. 6 shall take all the necessary steps and pay the admissible retiral dues with statutory interest to the petitioner within a period of six weeks from the date of receipt of the documents from the officials of the BSEB. If the amount(s), found payable to the petitioner, is/are not paid within the said period, the petitioner shall be entitled to get interest @ 10% per annum till final payment in addition to the statutory interest payable on delayed payment of such dues.