

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 2125 OF 2004

RAMJEE PRASAD SINGH

Appellant (s)

VERSUS

BIHAR STATE ELECTRICITY BOARD & ORS.

Respondent(s)

(With appln(s) for permission
WITH Civil Appeal NO. 2127 of 2004
Civil Appeal NO. 3112 of 2004
(With office report)

Date: 29/09/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s) Mr. Himanshu Shekhar, Adv.

Mr. Navin Prakash, Adv.

Mr. Akhilesh Kumar Pandey

For Respondent(s) Mr. Anurag Dubey, Adv.
CA No.2127/04 Mr. Meenesh Dubey, Adv.
Mr. S.R. Setia, Adv.

Mr. Navin Prakash, Adv.

UPON hearing counsel the Court made the following
O R D E R

The appeals are dismissed in terms of the signed orders.

(KUSUM SYAL) (RENU DIWAN)
SR.P.A. COURT MASTER
(Three separate signed orders are placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 2125 OF 2004

RAMJEE PRASAD SINGH

Appellant (s)

VERSUS

BIHAR STATE ELECTRICITY BOARD & ORS.

Respondent(s)

O R D E R

Pursuant to our order dated 21.1.2010 directing the

respondent - Bihar State Electricity Board to file an affidavit indicating whether payments of the dues have been made or not, the Bihar State Electricity Board has filed an affidavit duly disclosing the status of the payments. It is also stated in the affidavit that the appellant is getting pension at revised rate and that, as on today, no dues of retiral benefits are payable to the appellant.

In such view of the matter, no further cause of action survives requiring any further adjudication of this appeal. The appeal is dismissed.

.....J
(B.SUDERSHAN REDDY)

.....J
(SURINDER SINGH NIJJAR)

NEW DELHI
SEPTEMBER 29, 2010

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 2127 OF 2004

BIHAR STATE ELECTRICITY BOARD & ORS. Appellant (s)
VERSUS
SHEO BACHAN BHAGAT AND ORS. Respondent(s)

O R D E R

Pursuant to our order dated 21.1.2010, in the affidavit filed by the appellant - Bihar State Electricity Board , it is stated that as of today no dues of retiral benefits are payable by the appellant - Board. However, it is the case of the appellant - Board that an excess amount of Rs.64,000/- has been paid to respondent No. 1 - employee and the same is liable to be recovered from him. It is further brought to our notice that respondent No.1 - employee has retired long time back from the service of the Board. In such view of the matter, we hold that the appellant - Board is not entitled to recover the said excess amount paid by it to the respondent - employee.

The appeal is accordingly dismissed.

.....J
(B.SUDERSHAN REDDY)

.....J
(SURINDER SINGH NIJJAR)

NEW DELHI
SEPTEMBER 29, 2010

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3112 OF 2004

Uday Chandra Jha

Appellant

versus

The Bihar State Electricity Board & Anr.

Respondents

O R D E R

This appeal is directed against the order passed by the High Court of Patna dated 12th August, 2003 dismissing the Contempt application filed by the appellant. The Contempt Application itself has arisen from out of interlocutory order passed by the learned Single Judge pending the Writ Petition. In such view of the matter, we are not inclined to interfere with the impugned order.

The Writ Application filed by the appellant (since deceased) may be disposed of on its own merits, if the same is still pending in the High Court. The appellants are entitled to raise all the issues, that are raised in this appeal.

The appeal is dismissed with no orders as to costs.

.....J
(B. SUDERSHAN REDDY)

.....J
(SURINDER SINGH NIJJAR)

NEW DELHI
September 29, 2010