

(2005) 02 JH CK 0033
Jharkhand High Court
Case No: None

Gauri Shanker Tiwary

APPELLANT

Vs

Chairman, Steel Authority of
India Ltd. and Others

RESPONDENT

Date of Decision: Feb. 14, 2005

Citation: (2007) 1 JCR 122

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

Bench: Single Bench

Judgement

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

1. This writ application has been preferred by the petitioner for a direction on the respondents to pay him the post retirement benefits, such as, provident fund, gratuity, leave encashment as also other benefits, including the arrears of salary on grant of promotion.

2. According to the petitioner, he was in the services of Steel Authority of India Limited ("SAIL" for short), posted at Bokaro Steel Plant. He, not having been granted promotion to the next higher post, had moved before this Court in C.W.J.C. No. 2239 of 1995R. The matter, thereafter, moved up to the appellate stage and certain directions were issued in L.P.A. No. 681 of 2003 on 15th December, 2003.

3. Grievance of the petitioner is that though, thereafter, the Supreme Court has not interfered with the order, passed by the Division Bench of this Court, he has not been given the benefits, in terms with the order, passed by the Division Bench, nor has been paid the retiral benefits, he having already retired in the month of January, 2004.

4. In the present case, as I find that the petitioner had earlier moved before this Court in respect of promotion, wherein, certain directions have already been given by the Division Bench, this Court is not inclined to pass any order regarding promotion of the petitioner. If the authorities have committed contempt of Court,

the petitioner may bring it to the notice of the Court by way of filing Contempt Petition.

5. So far as payment of retiral benefits is concerned, the petitioner is given liberty to approach the Managing Director, Bokaro Steel Plant, SAIL, Bokaro Steel City, Bokaro, who will decide the claim and will pay the admitted dues, if found payable, to the petitioner within three months from the date of receipt of representation, as may be made by the petitioner, failing which the respondents will be liable to pay interest at the rate of 5% per annum on the admitted retiral benefits from the date, the petitioner has retired from service, till the date, the amount is paid. If the authority disputes any claim or part thereof, he will communicate the ground (s) to the petitioner. It is, however, mentioned that this Court has not decided the claim on merit.

6. The writ petition stands disposed of with the aforesaid observations and directions.