

SUPREME COURT OF INDIA

Bihar State Electricity Board

Vs.

Bijay Bhadur

(S.B.Majmudar and U.C.Banerjee JJ.)

01.12.1999

ORDER

The Text below is only a summarized version of the order pronounced

The respondents were granted increment and the appellants claimed recovery of the increment amount on the ground that as per Regulation 8 of the memorandum issued by the company "persons who did not pass the Hindi noting and drafting examinations are not entitled to the increment". The Supreme Court held that since payments have been made without any representation or misrepresentation, the appellant board could not be granted any liberty to deduct or recover the access amount paid by way of increment. Regulation 8 will operate on its own and the Board will be at liberty to take appropriate steps except in cases that have attained finality.