

GAHC010153872022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5345/2022

DEBESH CHAKRABORTY
SON OF LATE DINESH CHANDRA CHAKRABORTY, KALI MAHABIR BARI
ROAD, WARD NO. 5, P.O., P.S. AND DISTRICT- KARIMGANJ, ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, MUNICIPAL ADMINISTRATION DEPARTMENT,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR
MUNICIPAL ADMINISTRATION DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE CHAIRMAN/ CHAIRPERSON
KARIMGANJ MUNICIPAL BOARD

P.O.
P.S. AND DISTRICT- KARIMGANJ
PIN- 788710
ASSAM.

4:THE REGIONAL PROVIDENT FUND COMMISSIONER

N.E. REGION
BHANGAGARH
GUWAHATI- 781005.

5:THE DEPUTY COMMISSIONER
KARIMGANJ
P.O.
P.S. AND DISTRICT- KARIMGANJ
PIN- 788710

ASSAM

Advocate for the Petitioner : MS. N GOGOI

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 08.01.2024

Heard Ms. N. Gogoi, learned counsel for the petitioner. Also heard Ms. M. Bhattacharjee, learned Additional Senior Government Advocate and Mr. S. K. Chakraborty, learned standing counsel, Provident Fund.

It is submitted by the learned counsels for the respondents that the balance amount of Rs.5,92,007/- has been released to the petitioner.

Ms. N. Gogoi, learned counsel for the petitioner does not dispute the received of the said amount. She, however, prays that because of the delay, the petitioner had suffered immensely and therefore, there was a claim for payment of interest @16% per annum.

Considering the fact that the balance amount of pensionary benefit has been released, this Court is not inclined to pass any orders regarding the imposition of payment of any interest as prayed for by the petitioner. However, liberty is granted to the petitioner to pursue her remedies before an appropriate forum as per the provision of law regarding interest.

Writ petition is disposed of in terms of the above.

JUDGE

Comparing Assistant