

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11353 of 2011

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Farida Bano Wife of Late Md. Usman Gani, resident of Village Arai, P.O. Arai, P.S. Simari, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The Block Development Officer, Jaley Laheriasarai, District- Darbhanga.
5. The Accountant General Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Srivastava, Adv.

For the Respondent/s : Mr. Sunil Kumar Ravi, A.C. to A.A.G. III.

For the Accountant General : Mr. Madhuresh Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

5. 24.12.2014

Heard learned counsel for the parties.

In view of the statements made in the second supplementary counter affidavit filed on behalf of respondent no. 3, learned counsel for the petitioner does not dispute that the admitted dues of the late husband of the petitioner have been paid. However, it is submitted that the employee died on 16.12.2007 but payments have been made on 19.12.2014, i.e., after seven years, for which the Court may award interest.

In view of the decision of the Hon'ble Supreme Court in the case of **D.D. Tewari v. Uttar Haryana Bijli Vitran Nigam Ltd.** reported in **(2014) 8 SCC 894**, with regard to award of interest, this Court taking a similar view in the present matter directs for payment of interest at the rate of 9%

per annum on the delayed payment from the time it became due till the time it was actually paid to the petitioner. Such payment shall be made within six weeks from the date of receipt/communication of a copy of this order upon respondent no. 4, failing which the rate of interest shall be 18% per annum.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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