

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4213 of 2014

In
Civil Writ Jurisdiction Case No. 1072 of 2012

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1. Raghunath Saran Sinha Son of Late Ram Briksha Sinha R/o Mohalla
Chitragupt Nagar, Behind Laxmi Apartment, Kankarbagh Patna-20

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Health Department, Govt of Bihar namely Deepak Kumar
2. Shri Anand Kishore, Health Secretary, Health Department, Govt of Bihar, Patna
3. Sri Surendra Prasad, the Director in Chief Health Services, Bihar Patna
4. Sri Surendra Nath Sinha, the Superintendent P.M.C.H. Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Respondent/s : Mr. Alok Ranjan, AC to GA 13

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 11-02-2015 A show cause reply has been filed on behalf of the opposite parties stating therein that the order of this court has been complied with inasmuch as the amount of General Provident Fund to the tune of Rs. 5,27,935/- has been released in favour of the petitioner.

Learned counsel for the petitioner does not dispute this fact that the said amount has been released but submits that the petitioner was entitled for the said amount on 09.01.2012 and, in the meanwhile, the said amount must have earned interest and the petitioner is entitled for interest upon the said amount. He submits

that payment of General Provident Fund amount, which the petitioner was entitled to on 09.01.2012, should not be treated as compliance of this court's order as the interest on the said General Provident Fund amount is also part of amount.

I find substance in the submission made on behalf of the petitioner that during the interregnum period the said General Provident Fund amount must have earned statutory interest and the petitioner is entitled for that amount also. However, since the opposite parties have paid the amount, which the petitioner was entitled to on 09.01.2012, violation of the order cannot be said to be intentional and deliberate, necessitating contempt proceeding.

This application is disposed of with only observation that interest upon amount of General Provident Fund is also part of General Provident Fund.

(Chakradhari Sharan Singh, J)

BKS/-

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