

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20318 of 2011

=====

Shikha Kumari @ Sweety Kumari, daughter of Late Kumari Indu Sinha and Satish Kumar, resident of C/o. Sitaram Prasad Singh, 2nd floor, Mishra Deep, Saketpuri, Road No.1, Hanuman Nagar, Kankarbagh, Patna-20.

2. Satish Kumar, son of Sri Ramashish Singh, resident of village Sonchari, P.S. Ekangarsarai, District Nalanda.

.... Petitioners

Versus

1. The State of Bihar, through Secretary cum Commissioner, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
2. The Director in Chief, Health Services, New Secretariat, Patna, Bihar.
3. The Civil Surgeon cum Chief Medical Officer, Nawadah, District Nawadah.
4. The Superintendent, Sadar Hospital, Nawadah
5. The District Magistrate, Nawadah.
6. The Treasury Officer, Nalanda

.... Respondents

=====

Appearance :

For the Petitioner/s :

For the Respondent/s :

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 14-12-2015

Heard learned counsel for the parties.

Pursuant to order dated 02.12.2015, respondent no. 3 is present both in the capacity of respondent no. 3 as well as the Incharge respondent no. 4.

The issue which was involved in the present writ application was with regard to interest payable on GPF amount due to the late employee who was the mother of petitioner no. 1 and wife of petitioner no. 2 from 1986 till the time in the year 2010.

From the pleadings on record, it appears that there was no nominee in the GPF subscription form by the deceased employee and further upon her death various claimants like maternal uncle of petitioner no. 1 and her husband also filed application before the Department for such payment and later on when succession certificate was obtained, the maternal grand mother of petitioner no. 1 also challenged such succession certificate and finally in the year 2010 due amount of GPF has been paid to petitioner no. 1.

Considering the facts and circumstances of the case, the Court does not find any deliberate or wilful laches on the part of the respondents for delayed payment as the same was due to infighting among the family members of the petitioners.

In view of the aforesaid, the Court does not find any ground to grant interest to the petitioners as prayed in the writ application. Accordingly, the writ petition stands disposed off.

(Ahsanuddin Amanullah, J)

Anjani/-

U			
---	--	--	--