

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20061 of 2011

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Satya Narayan Ram, aged about 61 years, Retired Messenger, Barh Electric Supply Division, Son of Late Daroga Ram Resident of Village Bajitpur, Church Road, P.O. and P.S. Barh, District-Patna.

.... Petitioner/s

Versus

1. The Bihar State Electricity Board (Now Holding Company) through its Chairman Vidyut Bhawan, Bailey Road, Patna.
2. The Secretary Bihar State Electricity Board (Now Holding Company) Vidyut Bhawan Bailey Road, Patna.
3. The Director Terminal Benefit, Bihar State Electricity Board (Now Holding Company) Vidyut Bhawan, Bailey Road, Patna.
4. The Electrical Superintending Engineer, Patna Electrical Circle, R-Block, Patna-1.
5. The Electrical Executive Engineer, Electric Supply Division, At and P.O. Barh, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. R. K. Sinha with
Mr. Nitesh Kumar Nirala, Advocates

For the Respondent/s : Mr. Ajay Kumar Gautam, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 20-08-2015

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that now the grievance of the petitioner is restricted to payment of interest on gratuity and G.P.F. It is submitted that the petitioner superannuated on 31.03.2010 but the gratuity was paid on 06.07.2011 and last instalment of G.P.F. on 20.01.2012 but up-to-date payment of interest was not paid.

Without going into the finer details, this Court finds substance in the contention of learned counsel for the petitioner that he is entitled to interest on delayed payment moreso in view of the decision of the Hon'ble Supreme Court in the case of **D. D. Tiwari v. Uttar Haryana Bijli Vitran Nigam Ltd.** reported in (2014) 8 SCC 894.

Accordingly, let the respondents pay interest @ 5% per annum on gratuity from the date it became due till the time of actual payment and statutory interest on G.P.F. from the date it became due till the time of actual payment. The same be paid to the petitioner within two months from the date of production of a copy of this order before the respondent no. 3.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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