

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17330 of 2008

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Keshwar Sah Son of late Rudal Sah, Resident of Village- Kothian, P.O. and
P.S. Sheohar, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,
Bihar, Patna.
3. The Director, Secondary Education, Human Resources Development
Department, Bihar Patna.
4. The Regional Deputy Director of Education, Tirhut Division,
Muzaffarpur.
5. The District Education Officer, Sitamarhi.
6. The District Education Officer, Sheohar.
7. The District Education Officer, East Champaran at Motihari.
8. The Director, Provident Fund, Bihar, Patna.
9. The District Provident Fund Officer, Sitamarhi.
10. The District Provident Fund Officer, East Champaran at Motihari.
11. The Headmaster, Guddar Jagdeo Govt. High School, Sonaul Sultan,
Sheohar.
12. The Headmaster, Mahanth Jainarayanpur Govt. High School, Sirauna,
East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

7. 29.01.2015

Heard learned counsel for the parties.

Supplementary counter affidavit has been filed
on behalf of respondent no. 10, in which the details have been
mentioned relating to payment of G.P.F. amount. From perusal
of the same, it transpires that the calculation of the G.P.F. has
been made in light of the notification of the Finance
Department dated 06.05.1988. It has further been stated that
the amount of Rs. 2,86,440/- which includes the interest as

per the aforesaid Government notification has been credited to the saving account of the petitioner on 05.12.2009. From the averments made in the said supplementary counter affidavit as well as materials brought on record, it also transpires that the interest has been calculated only till August, 2009 whereas the amount has actually been paid to the petitioner on 5th December, 2009. There being no fault or laches on the part of the petitioner, there is no justification for delay in making payment to him. Thus, the respondents are liable to pay interest for the period September, October and November, 2009 also to the petitioner.

In view of the aforesaid, the writ petition stands disposed off with a direction to the respondent no. 10 to pay statutory interest for the period September, 2009 to November, 2009 to the petitioner which should be credited in his account latest within four weeks from the date of production/receipt of a copy of this order by respondent no. 10, failing which the petitioner shall be entitled to additional 9% simple interest on the amount payable to him to be calculated from 1st March, 2015 and the same shall be recoverable from the salary of the officer(s)/person(s) concerned.

(Ahsanuddin Amanullah, J.)

P. Kumar

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