

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.664 of 2014

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1. Jagdish Narain Singh Son Of Late Sarjug Singh Resident Of Village - Sidhap - Parsahi, P.S. Ladania, District - Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resources Department, Bihar, Vikash Bhawan, Patna
2. The Director, Provident Fund Directorate, Pant Bhawan, Patna
3. The District Programme Officer Establishment, Madhubani
4. The District Provident Fund Officer, Madhubani
5. The District Magistrate, (Pension - Cell), Madhubani
6. The Accountant General, Bihar, Birchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. AJAY KUMAR

For the Respondent/s : Mr. PURNENDU SINGH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-01-2016

Since the State Government as a matter of policy agreed to deposit the difference by virtue of enhanced pay-scale, in GPF, there is obligation to pay interest thereon for the period it remained with them, which is statutory in nature. If the respondents fail to pay the interest to the petitioner, even prosecution can be initiated against them.

Let the District Programme Officer (Establishment), Madhubani ensure that the interest component on GPF amount, which was not paid within the time-frame, will be paid within a period of three months from the date of production of a copy of this order.

The Court directs the respondent authorities to consider the claim of the petitioner for grant of benefit of ACP or MACP to which he may be entitled in terms of rules in place since 2003 and amended from time to time.

It is also clarified that the General Administration Department's circular putting a ban on promotion etc. will not apply to the case of grant of benefit of ACP or MACP because these are not substantive promotion, especially 1.9.2011 circular relating to teachers for career progression.

Writ application is disposed of with above observation/direction.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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