

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15813 of 2013

Rameshwar Singh Son Of Late Laxmi Narayan Singh Resident Of Village - Jaitpur, Post Office - Jaitpur, Via - Barahiya, P.S. - Barahiya, District - Lakhisarai

..... Petitioner/s

Versus

- 1. The State Of Bihar through the Collector, Lakhisarai
- 2. The Collector, Lakhisarai
- 3. The Collector, Munger
- 4. The Nodal Officer, Pension Adalat, Lakhisarai
- 5. The Post Master General, Bihar Circle, Patna
- 6. The Post Master, Head Post - Office, Munger
- 7. The Block Development Officer, Halsi Block, District - Lakhisarai

..... Respondent/s

Appearance :

For the Petitioner/s : Mr. OM PRAKASH MAHARAJ

For the Respondent/s : Mr. SANJAY KR NO.1

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 30-03-2016

Heard counsel for the petitioner and the State.

This what the petitioner has prayed in paragraph 1 of the writ application:-

“That the instant application is being filed for issuance of a writ of mandamus commanding/directing the respondents authorities to make payment for the three National Savings Certificates corticated bearing nos. D/058562/6 worth Rs. 100/-, D/342210/6 worth Rs. 100 and D/483025/6 worth Rs. 50/- with all calculated interest on them at the rate of 18% compoundable penal interest per annum from the date of pledge with the Collector, Munger till the date of actual payment....”

In order to obtain employment as Jansevak in the government, it is stated that three National Savings Certificates (NSCs) (two each in the denomination of Rs. 100/- and another one worth Rs. 50/-), were



furnished by the petitioner. He served the State and superannuated in 1987. Vide communication dated 25.03.2008, a representation appears to have been filed by the petitioner for return of the NSCs furnished by him. The respondent promptly acted thereon and vide communication dated 05.06.2008 (Annexure-4), the NSCs were released and made available to the petitioner. It is stated that actually the NSCs were made available to the petitioner in 2013. From Annexure-5, it appears that in response to the previous communication dated 05.06.2008, the petitioner, for the first time, responded setting out reasons for long delay requesting for the delivery of the NSCs which, as noticed above, were delivered in 2013.

The contention of the petitioner is that the respondents have acted arbitrarily and in a deficient manner in making available the documents(NSCs) to the petitioner causing serious prejudice in terms of the monetary gains. He may be directed to be compensated.

On the other hand, the State Counsel, on the basis of the materials available on record, has urged that it was sheer indolence/sluggishness on the part of the petitioner which caused the delay in making available the NSCs. If the NSCs under the terms and conditions they were issued continue to earn interest then the petitioner shall get the interest from the concerned authority/post office. .

On a consideration of the rival submissions, I am not persuaded to find any merit in this writ application to grant the relief as prayed for. Indolency on the part of the petitioner contributed to delay.

The application is dismissed.

Dismissal of the application shall, however, not preclude the

petitioner from agitating his grievance before the appropriate forum/authority for grant of due interest and/or damage/compensation in accordance with law.

(Kishore Kumar Mandal, J)

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