

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5448 of 2012

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1. Bhagwan Das, Son of Late Bhola Harijan, Resident of Flat No. 304, Ramchandra Lochan Vatika Apartment, Mohanpur, Punaichak, P.S. - Sri Krishnapuri, District - Patna 800023.

.... Petitioner/s

Versus

1. The Union of India through the Accountant General (A & E), Bihar, Birchand Patel Path, Patna.

2. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Adv.

For the Respondents-State : Mr. Rajiv Roy, GP-1

Mr. Suresh Kumar, AC to GP-1

For Respondent No. 1 : Mr. Arun Kumar Arun, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 10-08-2016

This application has been filed, under Article 226 of the Constitution of India, seeking direction to the respondents for payment of Gratuity amount.

2. The petitioner retired with effect from 31.08.2007, while holding the post of Superintending Engineer (Managing Director, Additional Charge), Water

Resources Department, Government of Bihar.

3. In the present application, the petitioner has sought for a direction for payment of difference amount of Gratuity, arising out of acceptance of 6th Pay Revision Recommendations. The petitioner has also sought for a direction for payment of interest thereon.

4. It appears that the matter relating to calculation of admissible Gratuity upon revision, pursuant to 6th Pay Revision Recommendations, enhancing the maximum amount to Rs. 10,00,000/-, was pending with the State Government and in the month of May, 2013, it was decided to enhance the maximum Gratuity amount to Rs. 10,00,000/-. A resolution, dated, 27.05.2013, in this regard has been brought on record by way of Annexure-A/2 to the supplementary counter affidavit filed on behalf of respondent No. 2.

5. This is not in dispute that the difference amount of Gratuity has been paid to the petitioner in the year 2013 itself.

6. Learned counsel, appearing on behalf of the petitioner, however, insists, on direction, for payment of interest due to delayed payment of the said amount.

7. I do not find this to be a fit case for grant of interest as, admittedly, the decision was taken in the year

2013 and the difference amount has already been paid to the petitioner in the year 2013 itself.

8. In view of the above, this application stands disposed of.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.8.2016
Transmission Date	N/A