

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.859 of 2012

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1. Ashok Kumar son of Late Raghunath Prasad, Resident of village- Balkishunganj, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna 800 007
 2. Arun Kumar son of Late Raghunath Prasad, Resident of village- Balkishunganj, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna 800 007
 3. Sanjay R. Kumar son of Late Raghunath Prasad, Resident of village- Balkishunganj, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna 800 007
 4. Kumar Rajiv Ranjan son of Late Raghunath Prasad Resident of village- Balkishunganj, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna 800 007

.... Petitioners

Versus

1. The Reserve Bank of India having Its Office at South Gandhi Maidan, Town And District- Patna through tts Regional Director
2. The Chief General Manager Reserve Bank Of India, Public Debt Office, 15, Netaji Subhas Road, Kolkata - 700001, Through its Chief General Manager
3. Manager, Reserve Bank of India, Public Debt Office, 15, Netaji Subhas Road, Kolkata – 700001
4. The Regional Director, Reserve Bank of India, South Gandhi Maidan, Patna, Bihar.

.... Respondents

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Appearance :

For the Petitioners : Mr. ASHISH GIRI, ADVOCATE

For the Respondents : Mr. KAUSHAL KUMAR JHA

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-02-2016

Heard learned counsel for the petitioners and learned counsel for the Respondents.

2. As prayed, learned counsel for the petitioners is permitted to implead the Regional Director, Reserve Bank of India, South Gandhi Maidan, Patna, Bihar as Respondent No. 4 in course of the day.

3. The present writ application has been filed for making payment of interest @12% per annum on 1164 grams of

Gold in terms of the Gold Bonds purchased by the petitioners' father on 10.06.1993, while he was alive.

4. Learned counsel for the petitioners submits that pursuant to the order of this Court dated 01.03.2011 in CWJC No. 19592 of 2010 (Annexure-9) the petitioners' father filed his representation dated 09.10.2011 before the Regional Director, Reserve Bank of India, Patna, claiming interest in terms of Gold Bonds Scheme, 1993, which remains pending.

5. Having regard to the nature of the grievance of the petitioners, this writ petition is disposed of granting liberty to the petitioners to approach the newly added Respondent No. 4 (the Regional Director, Reserve Bank of India, South Gandhi Maidan, Patna, Bihar) with a fresh representation for redressal of their grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of in accordance with law after granting opportunity of hearing to the petitioners expeditiously and preferably within a period of six weeks from the date of receipt/production of a copy of this judgment. If any amount is found due to the petitioners, the Respondent No. 4 shall ensure payment thereof to the petitioners within a further period of eight weeks thereafter. Any delay in payment of the admitted amount beyond the stipulated period as

stated above, shall entitle the petitioners to receive payment together with simple interest at the rate of 9% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioners' claim is found inadmissible, whether in whole or in part, the petitioners' representation shall be disposed of by a speaking order in that regard.

6. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioners.

(Vikash Jain, J)

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