

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18527 of 2014

1. Surendra Prasad Singh Son of Late Surya Narain Singh Vill & P.O-Bhaurauchi, Distt.-Patna, Retired Time-Keeper wef 28.02.2001
2. Krishna Prasad Singh S/O Late Chandradeo Prasad Singh Vill-Bahlopur, P.O+P.S+Distt.-Saran, Retired Driver wef 31.01.2004
3. Narain Prasad S/O Late Prahalad Prasad Vill-Chanchaul, P.O-Naubatpur, Distt.-Patna. Retired Helper wef 31.05.2002
4. Bhagirath Prasad S/O Late Parmeshwar Mahto Vill-Darkha, P.O-Aliganj, Distt.-Jamui. Retired Conductor wef 30.11.1994
5. Md.Sahabuddin S/O Late Mohmad Ahsan Vill-Sonadiha P.O-Bhadia, Distt.-Gaya. Retired Mechanic wef 31.05.2004.
6. Ramdeo Paswan S/O Late Ramphal Paswan Vill-Dostpur, (Maurya) P.O-Fatuha, Distt.-Patna. Retired Mistry wef 31.05.2004
7. Ramsinghasan Singh S/O Late Bahan Deo Singh Vill-Khaspur, P.O-Daudpur, Distt.-Patna. Retired Conductor wef 31.05.2007
8. Akhileshwar Prasad Singh S/O Late Girija Prasad Singh Vill+P.O-Sherpur, Distt.-Patna. Retired Conductor wef 31.12.2008
9. Ramsharan Ram S/O Late Laxmi Narain Ram Vill. & P.O-Pudarakh, Distt-Patna. Retired Conductor wef 31.08.2007
10. Pramila Devi W/O Late Bijendra Prasad Singh Vill-Chak Nawada, Distt.-Patna. Retired Night Clerk wef 28.02.2003
11. Bijay Prasad S/O Late Hari Prasad Vill+P.O-Kieul, Distt.-Lakhisarai. Retired Conductor wef 31.05.2002
12. Akalu Ram S/O Late Indra Deo Ram Vill+P.O-Danapur, Distt.-Patna. Retired Driver wef 31.01.2001
13. Bagesh Dutta Mishra S/O Late Surendra Dutt Mishra Vill-Bahamdhani, P.O-Sherpur, Distt.-Mokama. Retired Mechanic wef 31.01.2001
14. Md. Nazir Ahmad S/O Late Abdul Hamid Vill-Dulore, P.O-Jagdishpur, Distt.-Bhojpur, Retired Driver wef 31.01.2004
15. Akbar Hussain Son of Late Md. Jahur Khan Vill-Baskothi, New Colony, P.O-Digha, Distt.-Patna, Retired Conductor wef 31.07.2008
16. Siyabar Singh S/O Late Ram Balak Singh Vill-Rasidpur, P.O-Punpun, Distt.-Patna, Retired Driver wef 30.06.2003



17. Lal Bahadur Singh S/O Late Dil Chand Rai Vill+P.O-Nisarpur, Distt.-Patna, Retired Conductor wef 31.12.2002
18. Ram Kumar Ram S/O Late Pokhraj Rai Vill+P.O-Dhamasai, Distt.-Darbhanga, Helper wef 31.05.2004. Retired Driver wef 31.05.2004
19. Sushila Devi W/O Late Sadan Gope Mohalla-Bhawar Pokhar, P.O-Bankipur, Distt.-Patna. Retired Driver wef 30.04.2000
20. Bindeshwari Prasad Singh S/O Late Muneshwar Singh At & P.O-Madanipur, Distt.-Rohtas, Retired Conductor wef 31.07.2009
21. Rajendra Prasad Paswan S/O Late Ram Bricch Paswan Vill-Mahuabagh, P.O-Punpun, Distt.-Patna. Retired Khalasi wef 31.05.1999
22. Binoy Kumar S/O Late Anandi Prasad Singh, Vill+P.O-Sarba, Distt.-Sheikhpura, Retired Conductor wef 31.01.2002

.... Petitioners

Versus

1. The State of Bihar through Secretary, Transport Department, Bihar, Patna
2. Administrator, Bihar State Road Transport Corporation, Paribahan Bhawan, Birchand Patel Path, Patna.
3. Financial Advisor cum Chief Accounts Officer, Bihar State Road Transport Corporation, Paribahan Bhawan, Birchand Patel Path, Patna.

.... Respondents

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Appearance :

For the Petitioner/s	:	Mr. V. N. Sahay, Advocate Mr. Arun Shrivastav, Advocate
For State	:	Mr. Manoj Kumar, Advocate
For the Respondent/s	:	Mr. P. K. Verma, SC Mr. Lakshmikant Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 20-03-2017

In the instant writ application, the grievance of the petitioners is non-payment of interest on their contributory provident fund accumulation as per statutory provisions which



provides for its calculation and payments prior to date on which the payment of contributory provident fund amount was made.

2. Learned counsel for the petitioners and learned counsel for Bihar State Road Transport Corporation agree that the writ application may be disposed of in terms of order dated 23.03.2015 passed in CWJC No. 880 of 2015 and CWJC No. 916 of 2015.

3. In that view of the matter, with consent of the parties, the writ application is disposed of with liberty to the petitioners to raise their grievance before the Financial Advisor-cum-Chief Accounts Officer, Bihar State Road Transport Corporation along with the individual details as regarding the date on which the payment of the contributory provident fund along with interest were received as well as interest which would actually accrue on the contributory provident fund amount in terms of the Single Bench pronouncement passed in C.W.J.C. No. 9207 of 2012 (Sadanand Jha Vs. State of Bihar & Ors.) which judgment stands affirmed in L.P.A. No. 1625 of 2013 as well as by the Supreme Court.

4. In case of filing such representation, the Financial Advisor –cum- Chief Accounts Officer, Bihar State Road Transport Corporation shall consider the same and dispose of



within three months from the date of receipt of representation. In case the petitioners are found entitled to their claim, then it should be paid within three months of the disposal of such representation and in case the claim of any of the petitioners is not found tenable it should be disposed of by speaking order to be passed within the aforementioned period.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.03.2017
Transmission Date	NA

