

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1158 of 2014
IN
Civil Writ Jurisdiction Case No. 20784 of 2013**

=====

Sabiha Naseem (since dead) wife of Late Naseem Akhtar resident of Mohalla - Sultanganj Naugarwa, P.S. Sultanganj, District – Patna, substituted through her legal heirs

1. Md. Yasir Naseem
2. Faisal Naseem
3. Md. Kashif Naseem

All sons of late Sabiha Naseem and late Naseem Akhtar, resident of Mohalla - Sultanganj Naugarwa, P.S. Sultanganj, District – Patna.

4. Huma Naseem Hussain, daughter of late Sabiha Naseem & wife of Md. Ali Hussain, resident of ETIA-E-ABBAS, Narkatghat, Painthantoli, Alamganj, Patna-800007.

.... Appellant/s

Versus

1. The State of Bihar Chief Secretary Govt. of Bihar, Patna.
2. The Chief Secretary Government of Bihar, Patna.
3. The Principal Secretary Human Resources Department, Government of Bihar, Patna.
4. The Secretary cum Commissioner, Human Resources Department, Government of Bihar, Patna.
5. The Director, Secondary Education, Government of Bihar, Patna.
6. The Regional Deputy Director of Education, Patna Division, Patna.
7. The District Education Officer, Patna, District – Patna.
8. The Treasury Officer, Patna District Patna.
9. The Accountant General, Bihar, Patna.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Md. Anis Akhtar, Advocate

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-08-2017

Considering the fact that the learned Writ Court has remanded the matter back for settlement of pensionary claims, petitioner will be entitled to statutory interest on the G.P.F. claim as is



permissible in law and there is no reason as to why this claim should be denied to the petitioner while evaluating the matter on the remand made by the Writ Court. As far as interest on the other claim is concerned, we see no reason to make any indulgence into the matter as the learned Writ Court has already directed for settlement of the pensionary claims of the petitioner, including the G.P.F. Merely because there is some delay in settlement of the pensionary claims, in the facts and circumstances of the case, we see no reason to make any further indulgence into the matter with regard to payment of compound interest at the rate of 18%.

The appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.08.2017
Transmission Date	

