

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1633 of 2015

In
Civil Writ Jurisdiction Case No.23796 of 2012

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1. Allahabad Bank its Chairman-cum-Managing Director, Head Office, 2, Netaji Subhash Road, Kolkata.
 2. Chairman-cum-Managing Director, Head Office, 2, Netaji Subhash Road, Kolkata.
 3. General Manager (Per. & Admn.), Allahabad Bank, Head Office, 2, Netaji Subhash Road, Kolkata.
 4. Deputy General Manager, Allahabad Bank, Zonal Office, Muzaffarpur.

... .. Appellant/s

Versus

Hemlata, widow of Late Jagdish Prasad Rajgrihar, Resident of Mohalla-Rambhadra (Ramchaura), Nichali Road, Near Kali Mandir, P.O. Hajipur Town, District- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajan Ghoshrave
For the Respondent/s	:	Mr. N.C.Verma
		Mr Natraj Verma

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 03-10-2017

The Court has already passed a very detailed order on 29.08.2017. However, an indulgence was shown to the Bank that if the entire *ex gratia* along with interest so directed by the learned Single Judge would be paid, the cost of Rs.25,000/- imposed upon the Bank will be waived.

Counsel for the Bank has taken an adamant stand that since there is no provision for payment of interest on the *ex gratia*



amount, therefore, the Bank will not pay interest thereof. The payment of interest is an outcome of the direction issued by the learned Single Judge, therefore, the compliance of the judicial order is warranted because we do not find any infirmity with the reasons for such a direction. In view of the above, there is no question of provision being there for payment of interest. Interest has to be paid on the *ex gratia* amount for the reasons already noted by the learned Single Judge as well as by us in the order dated 29.08.2017. The cost of Rs.25,000/- imposed by us on that date shall also be payable. If the interest is not paid within a period of four weeks from today, appropriate steps may be taken by the private respondent for non-compliance of the order. Detailed reasons for the same has already been given in the order dated 29.08.2017.

The appeal is now dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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