

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2172 of 2014

In
Civil Writ Jurisdiction Case No.18444 of 2011

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Thakur Onkar Nath son of Late Janak Singh resident of Mohalla - Om Jyoti Kunj, Sanjay Nagar, Road No. 10 near New Bypass , Police Station - Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. P.K. Sinha s/o not known Managing Director, Bihar State Co-operative Bank Ltd. Ashok Raj Path, Patna.
3. Mr. Rajesh Pandey s/o not known Regional Provident Fund Commissioner, Regional Office, R.Block, Road No. 6, Patna - 1.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prabhat Kishore, Adv.
For the Respondent/s	:	Mr. Nawal kishore Singh, Adv.
For O.P. No.3		Mr. R.S. Pradhan, Sr. Adv.
		Mr. Jai Prakash Verma, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 15-12-2017

On 23.9.2013 in C.W.J.C. No.2461 of 2013, this Court found that the action of the Bank in charging compound interest on the loan granted to its employees from their provident fund account is unsustainable and, therefore, directed that the compound interest charged in excess of the statutory interest be refunded back to the employees concerned. Even though the order was passed on 23.9.2013, the same was not complied with on the pretext that an L.P.A. was filed before this Court being L.P.A. No.838 of 2014 and after dismissal of the same, it was stated that



an S.L.P. was filed. The S.L.P. has also been dismissed by the Hon'ble Supreme Court on 6.3.2017 and after dismissal of the S.L.P., the employees provident fund organization, Patna vide Annexure 9 to the show cause filed by the provident fund office on 12.4.2017 has directed the Managing Director of the Bihar State Cooperative Bank Ltd., Ashok Rajpath, Patna to refund the amount of excess interest claimed, to the employees, but it is reported that in spite of the aforesaid order passed by the Managing Director on 12.4.2017, the amount has not been paid. Matter is pending before this Court and on more than three occasions since 9.5.2017, time is being granted to the Bank to deposit the amount of excess interest deducted from the employees.

Today, when the matter is taken up, learned counsel appearing for the Bank prays for time.

Keeping in view the attitude of the Bank in dealing with the matter in spite of the order dated 12.4.2017 passed by the Provident Fund Organization, it is directed that the amount should be deposited by the Bank with the Provident Fund Organization, Patna, within a period of six weeks from today.

In case the amount is not deposited within six weeks from today, the authority is granted liberty to take all coercive steps as are permissible under law for realizing the mount in



pursuance of Annexure 9 dated 12.4.2017 and pay it to the employees concerned.

With the aforesaid, this application is dispose of.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.12.2017
Transmission Date	

