

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.220 of 2017

IN

Civil Writ Jurisdiction Case No. 17010 of 2012

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Bramhdeo Prasad, S/o Late Hari Mahto, resident of Mohalla - Deep Nagar (Banda Kari), P.O. + P.S. Deep Nagar, District - Nalanda, retired Assistant Superintendent, Physical Education, Hilsa, Nalanda.

.... Appellant/Petitioner

Versus

1. The Union of India, through the Secretary, Ministry of Human Resources Development, Government of India, New Delhi.
2. The Pay and Account Officer, Ministry of Human Resources Development, Government of India, New Delhi.
3. The State of Bihar, through the Secretary Art, Culture Art, Culture and Youth Department, Vikas Bhawan, Patna.
4. The Director, (Youth-Welfare) Art, Culture and Youth Department, Vikas Bhawan, Patna.
5. The Directorate Provident Fund, Bihar, Patna.
6. The District Provident Fund office, Nalanda.
7. The Accountant General, Bihar, Patna.
8. The Accountant General, U.P. Allahabad.

.... Respondents/Respondents

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Appearance :

For the Appellant	: Mr. Sanjay Kumar, Advocate
For the UOI	: Mr. S.D. Sanjay, ASG
	Mr. Ravindra Kr. Sharma, CGC
For the State	: Mr. Sarvesh Kr. Singh, AAG-13
	Mr. Tej Pratap Singh, AC to AAG-13
For the A.G., Bihar	: Ms. Nivedita Nirvikar, Advocate
For the A.G., U.P.	: Mr. Ram Kinkar Choubey, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT & ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-09-2018

Feeling aggrieved and dissatisfied by the impugned judgment and order dated 22.12.2016 passed by the learned Single Judge in C.W.J.C. No. 17010 of 2012, the original writ-petitioner has preferred the present Letters Patent Appeal.

2. Shri S.D. Sanjay, learned Addl. Solicitor General appearing on behalf of the Union of India, has stated at the Bar that so far as the amount due and payable by the Central Government is concerned, the same is paid and credited in the bank account of the original writ-petitioner with interest. Therefore, so far as the grievance of the original writ-petitioner against the Central Government is concerned, the same is already redressed.

3. Now, so far as the grievance of the petitioner with respect to the interest on delayed payment of G.P.F. amount for the period between April, 2002 to October, 2002 is concerned, it is required to be noted that the learned Single Judge specifically observed that the original writ-petitioner had submitted the required Form after delay of six months.

4. The aforesaid fact is disputed by the learned



counsel appearing on behalf of the appellant-original writ petitioner and, according to him, the application was submitted within a period of six months.

5. Be that as it may, the fact remains that even the G.P.F. amount was paid in the year 2002, the original writ-petitioner made the grievance with respect to interest on delayed payment of G.P.F. amount for the period between April, 2002 to October, 2002 in the year 2008 and, thereafter by way of the present petition.

6. Considering the aforesaid facts and circumstances, when the learned Single Judge refused to grant the relief of interest on the delayed payment of G.P.F. for the period between April, 2002 to October, 2002, it cannot be said that the learned Single Judge committed any error which calls for interference by this Court in exercise of *intra*-Court appellate jurisdiction.

7. Under the circumstances, the present Letters Patent Appeal stands dismissed.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
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