

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 19951 of 2016

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Ram Nagina Singh, aged about 66 years, S/o Late Ram Adhar Singh, resident of Village- Kunj, P.O.- Darauli, P.S.- Bhabhua, District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Agriculture Department having his office at Vikas Bhawan, P.S. Sachivalaya, District- Patna.
2. The Bihar Agriculture University through the Registrar having his Office at Sabour Bhagalpur.
3. The Regional Director, Agriculture Research Institute Lohiya Nagar, District Patna-20.
4. The Treasury Office Sachivalaya Patna having his Office Old Secretariat, P.S. Sachivalaya, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vikas Mohan and Mr. Mukeshwar Dayal, Advocates
For the State	:	Mr. Raghwanand, G.A. 11 Mr. Sanjay Kumar Tiwari, A.C. to G.A. 11
For the Bihar Agricultural University	:	Mr. Anjani Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 31-01-2018

Heard learned counsel for the petitioner; State and Bihar Agricultural University, Sabour, Bhagalpur (hereinafter referred to as the 'University').

2. The petitioner has moved the Court for the following reliefs:

“(a) That writ in the nature of mandamus may be issued directing the respondent to pay the due amount of Group Insurance amount amounting to Rs. 75,611 with penal interest apart from statutory interest from due date till the actual payment is made.

(b) That any other relief or reliefs for which the petitioner is entitled may be granted by



the Hon'ble court. "

3. The petitioner superannuated from service on 30.11.2013 as Clerk from the Agriculture Research Institute, Patna, an Institute under the University. Thereafter, his Group Insurance has remained pending despite the authorities concerned recommending the State Government to make payment along with statutory interest till November, 2013, the total being Rs. 75,611/-. Though there is no explanation as to why the matter was kept pending at the level of the authorities of the State Government, but finally it appears that the amount has been sanctioned, which is evident from Memo No. 1027 dated 08.11.2017, issued by the Director, Agriculture, Bihar, Patna approving payment of Rs. 75,611/- in favour of the petitioner.

4. Group Insurance carries statutory interest and the same is payable till the time of actual payment, subject to the condition that there is no contributory fault or lapse on the part of the claimant. In the present case, the amount was rightly calculated, along with statutory interest till November, 2013, and the matter thereafter was referred to the State Government which had to issue the order for payment. The said recommendation was made on 29.01.2014 but the matter was kept pending by the authorities and finally such order was passed on 08.11.2017. No explanation has been given in the counter affidavit filed on behalf of respondent no. 1. Even in the final



sanction order, no fault or lapse has been attributed to the petitioner.

5. In view of the aforesaid, the Court has no hesitation to hold that the petitioner is entitled to up-to-date interest.

6. Accordingly, the writ petition stands allowed with a direction to the respondent no. 1 to ensure that payment of Group Insurance is made to the petitioner along with up-to-date statutory interest within four weeks from the date of receipt of a copy of this order. The period of interest would extent till the last date of the preceding month in which the order for such payment is issued in his favour.

(Ahsanuddin Amanullah, J.)

P. Kumar

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