

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3279 of 2015
Arising out of
Civil Writ Jurisdiction Case No.20958 of 2011

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1. Union Of India Through Ministry Of Home Affairs, New Delhi
 2. The Director, Directorate, C.R.P.F., General Provident Fund, New Delhi- 14.
 3. The Joint Assistant Director Welfare, C.R.P.F., New Delhi- 03.
 4. The Provident Fund Officer, C.R.P.F., Mokama Ghat, Mokama.
 5. The Additional D.I.G., C.R.P.F., Mokama Ghat, Mokama.

... .. Petitioner/s

Versus

Satyendra Tiwary S/o Sri Gupteshwar Tiwary, Resident of Nawa Jaipur, P.O.
Nawa Jaipur, P.S. Patan, District- Palamu Jharkhand.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman Singh, CGC

For the Opposite Party/s : Mr. Pranav Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 18-09-2019

Heard learned counsel for the petitioners and learned
counsel for the opposite party.

2. The present application has been filed by the
petitioners, seeking modification of the order dated 03.09.2015
passed in CWJC No. 20958 of 2011, by which the writ petition
was disposed off with a direction to the respondent no. 5 to ensure



payment of statutory interest on GPF from the date of dismissal of the petitioner in the year 2000 till the date of actual payment in the year 2010. The Court while passing such order had also observed that the amount would be recoverable from the officer causing delay in such payment.

3. After having considered the submissions of learned counsel for the parties and going through the pleadings and materials on record, the Court finds that on the part of the petitioners, they have been able to bring some documents which go to show that there may not be lapses on their part to the extent that there should be personal recovery whereas equally on the part of the opposite party materials have been brought to indicate that there may not be lapses on his part to the extent to deny him such interest.

4. Thus, the Court is inclined to modify the order dated 03.09.2015 passed in CWJC No. 20958 of 2011 to the extent that the direction to recover the amount payable to the opposite party from the officer causing such delay in payment stands recalled.

5. The application stands disposed off in the aforementioned terms.



6. It is clarified that from today further four weeks time is granted to pay the statutory interest, in terms of the order dated 03.09.2015, failing which extra 12% interest shall be payable.

(Ahsanuddin Amanullah, J)

Anjani/-

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