

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1006 of 2015

In
Civil Writ Jurisdiction Case No.6308 of 2011

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Sheo Dayal Ray son of Late Mahendra Ray, resident of C-132, Police Colony
Anisabad, P.S.- Gardanibagh, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Shir Amir Subhani, Principal Secretary, Home (Police) Department, Government of Bihar.
 2. Sri Krishna Murari Prasad, Under Secretary Home (Police) Department, Government of Bihar.
 3. Sri Rameshwar Singh, Principal Secretary, Finance Department, Government of Bihar.
 4. Sri Prem Singh, Meena Director General Prosecution Bihar, Patna.
 5. Sri Devendra Nath Sharma, the then Director General Prosecution Bihar, Patna.
 6. Sri Ram Pravesh Das, Deputy Director Prosecution Bihar, Patna.
 7. Sri Jai Prakash Singh, the then Deputy Director Prosecution Bihar, Patna.
 8. Sri Ranjeet Shankar Prasad, the then Assistant Director, Directorate of Prosecution Bihar, Patna.
 9. Sri Chaturi Prasad, Assistant Director (H.Q.) Drawing and Disbursing Officer, Directorate of Prosecution Bihar, Patna.
- Serial No. 4 to 9 Officer's Flat V-5 Shastri Nagar, Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Prabhat Ranjan, Advocate
		Mr.Chandan Kumar, Advocate
For the Opposite Party/s :		Mr.Rakesh Ranjan, AC to GP-22

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 24-01-2019 Heard learned counsel for the petitioner and learned
counsel representing the opposite parties.

This application has been preferred for initiation of
proceeding of contempt against the opposite parties of their
alleged willful disobedience and disregard shown to order dated
26.09.2014 passed in C.W.J.C. No. 6308 of 2011.

It is the contention of the learned counsel for the



petitioner that the petitioner is entitled to get a sum of Rs. 2,08,335/- on account of total amount of interest. Learned counsel for the petitioner submits that the petitioner has been paid only a sum of Rs. 53,120/- and therefore the rest of the amount is still due against the opposite parties.

In Paragraph-4 of the reply of the petitioner to show cause of the opposite parties it is stated that the amount of Group Insurance Rs. 26,349/- was paid to the petitioner vide Memo No. 733 dated 09.10.2009 by the Directorate of Prosecution calculating the interest up-to June, 1996, therefore, the petitioner was deprived from the updated interest till the date of payment of GIC to the petitioner. It is because of this the petitioner was found entitled to get interest for the period beginning June, 1997 over and above Rs. 26,349/-. A calculation chart in this regard has been placed by the petitioner as Annexure-4 to the present application. It shows that he has calculated the interest at the compounding rest at the rate of 12.5% from 30.06.1997.

On the other hand, learned counsel representing the State has shown from Annexure B to the show cause that the opposite parties have calculated the interest taking in mind the revised rate of interest which came into effect from May, 2006.



A perusal of Annexure-B shows that interest up-to April, 2006 has been calculated at the rate of 12.5% whereas in view of the resolution of Finance Department, Government of Bihar, dated 12.05.2006, the rate of interest had been revised to 8% w.e.f. May, 2006 and the same has been provided to the petitioner.

In the aforesaid facts and circumstance, this Court is satisfied that the petitioner has received the sum of money which is payable to him in terms of Annexure-B to the show cause. No case for initiation of contempt is made out.

This application is disposed off.

(Rajeev Ranjan Prasad, J)

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