

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6049 of 2017

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Mosst. Sheela Devi @ Shila Devi, wife of Late Sidhnath Prasad, resident of village + P.O.- Gopalpur, P.S.- Belchhi, Dist- Patna, presently residing at Village- Sisauna, P.O.P.S.- Jokihat, Dist- Araria ... Petitioner

Versus

1. The State Of Bihar
2. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Bihar, Patna
3. The Chief Engineer Mechanical, Public Health Engineering Department, Bihar, Patna
4. The Superintending Engineer, Public Health Engineering Circle, Purnea
5. The Executive Engineer, Public Health Division, Araria
6. The Accountant General A and E, Bihar, Patna
7. The Treasury Officer, Araria

... Respondents

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Appearance :

For the Petitioner	:	Mr. Siyaram Pandey, Adv.
For the State	:	Mr. Manish Kumar, GP IV with Mr. Ajay Kumar, AC to GP IV
For the AG	:	Mr. Raghwanand, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-03-2019 Heard the learned counsel for the petitioner and the learned counsels appearing for the State as well as the Accountant General, Bihar, Patna.

Petitioner seeks statutory interest at the rate of 18% per annum on family pension, gratuity, earned leave and its arrears along with death-cum-retiral benefits to the petitioner, whose husband, late Sidhnath Prasad, died in harness on 20.01.2009 as payment was made in the year 2016 without any statutory interest which amounts to inordinate delayed payment.

Learned counsel for the State submits that all death-



cum-retiral benefits have been paid to the petitioner in the year 2015 itself and that the delay was because that either sides were pursuing their remedy before different Courts right upto the Apex Court and there was no direction by any of the Courts for payment of interest.

Be that as it may, considering the nature of claim made by the petitioner, the writ application is disposed of with a direction to the respondent no. 2, the Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Bihar, Patna, to look into the claim of payment of statutory interest to the petitioner which is admissible to other employees on account of delay in payment of the said retiral benefits within a period of three months from the date of receipt/production of a copy of this order.

(Nilu Agrawal, J)

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