

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1505 of 2017

In
Civil Writ Jurisdiction Case No.4809 of 2014

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Shakuntala Devi widow of late Gulbadan Singh resident of Village -
Khakhari, P.S. - Kashichak, District - Nawada.

... .. Appellant/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Dy. Inspector General of Police Personnel, Bihar, Patna.
4. The Inspector General of Police, Muzaffarpur Zone, Muzaffarpur.
5. The Superintendent of Police, Gopalganj.
6. The Superintendent of Police, Bettiah.
7. The Treasury Officer, Nawada.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sidhendra Narayan Singh, Adv.
For the Respondent/s : Mr. P.K.Verma, AAG3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

7 05-11-2019 Heard learned counsel for the appellant, learned
counsel for the Accountant General and learned counsel for the
State.

In the present case the husband of the appellant has
died while discharging the duty and for that Rs.10 lacs have
been granted under the scheme of the State Government but the
authority concerned were so idle they failed to make payment of



the retiral dues such as family pension, leave encashment, group insurance, provident fund and gratuity at the later stage those payments have been made. In paragraph 10 itself the State states that delay has occurred in payment of the retiral dues on account of the laxity on the part of the officer concerned.

In such situation, we are of the view that the appellant is entitled interest at the rate of 9% from the date of retirement upto the date of actual payment. The amount should be calculated and be paid within 3 months from the date of receipt/ production of a copy of this order, failure to make payment of interest it would turn to the interest at the rate of 18 % compound interest. The State if so advised may identify the officer on whose laxity, payment has not been made and they would be at liberty to take appropriate action.

The appeal is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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