

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23026 of 2019

Dr. Indradeo Prasad Saha, aged about 69 years, Male, son of Late Krishna Kant Saha, resident of Anathalaya Road, Police Station- Katihar, District- Katihar.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Health, Government of Bihar, Patna.
3. The Director in Chief, Health Services, Government of Bihar, Patna.
4. The Regional Deputy Director, Health, Purnea.
5. The Civil Surgeon, Purnea.
6. The In- charge Medical Officer, Darbhanga/ Purnea.

... .. Respondents

Appearance :

For the Petitioner : Mr. Mithilesh Kumar Upadhyay, Advocate
For the State :

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

ORAL JUDGMENT

Date : 29-11-2019

Heard learned counsel for the petitioner and learned AC to SC 18 for the State.

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

“That this writ application is being filed for direction to the authorities to pay compound interest over the delayed payment of pensionary benefits of the petitioner which have been paid almost three and half years since the retirement of the petitioner due to the illegal act of the respondents and further it is prayed that an exemplary cost may also be imposed on respondents for their deliberate action not making payment in time and/or for any other order/orders may be found in the facts and circumstances of the case.”



3. Learned counsel for the State submitted that the petitioner may represent before the Principal Secretary, Health Department in the matter of grant of interest to him, if it is found that for no fault of the retired employee his dues were not paid in time.

4. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file a detailed representation before the respondent no. 2 with regard to the payment of interest on the delayed payment.

5. If the same is done within four weeks from today, the respondent no. 2 shall pass a reasoned order keeping in mind the policy of the State Government in view of the existing circular/ policy of the State Government on which the petitioner may rely. If it is found that the petitioner is entitled to interest in terms of the policy/rules of the State Government itself, the same shall be paid to him within one month from the date of passing of the order.

(Ahsanuddin Amanullah, J)

Vikash/Ranjit

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