

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17597 of 2017

=====

Pramod Chandra Shrivastwa Son of late Raghunath Prasad Shrivastawa
Resident of Village- Sangrampur, Post Office Sangrampur, P.S. Sangrampur,
District- East Champaran.

... .. Petitioner/s

Versus

1. The State Power Holding Company Limited
2. The Deputy Managing Director cum Supdt. Engineer, Electricity Board, Tirhut Division, Muzaffarpur.
3. Finance Controller, Bihar State Electricity Board, Patna.
4. General Manager Cum Chief Engineer, Electricity Board, Tirhut Area, Muzaffarpur.
5. Electrical Superintending Engineer, Electric Power Supply Circle, Motihari.
6. Electrical Executive Engineer, Electric Supply Division, Motihari.
7. Account Officer, Electric Supply Circle Motihari.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 02-07-2020 Heard learned counsel for the petitioner and the respondents.

After the order dated 29.5.2020, the petitioner has appeared. He submits that the petitioner has received payment but but there is delay of five months in payment of leave encashment. There is also delay of six years in payment of gratuity and, therefore, the petitioner is entitled to interest on delayed payment.

Considering the fact that leave encashment was paid



within five months, no interest is payable. The claim of the petitioner for interest on leave encashment is, therefore, rejected.

So far as the payment of gratuity is concerned, there is delay of six years and, as such, the petitioner is entitled to payment of 6% interest from the date of retirement till the date of actual payment.

In the order dated 29.5.2020 instead of Rs. 12,732/- it was wrongly typed as 1,27,732/-. Let it be read as 12,732/-. The order dated 29.5.2020 is modified to the aforesaid extent.

The writ petition is disposed of with a direction to the respondents to pay 6% simple interest on the delayed payment of gratuity within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

