

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4422 of 2020

Shriram Bhagat Son of late Lalu Bhagat @ Lalu Mali, Resident of Village- Jasauli,
P.S. Kathaiya, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur, District- Muzaffarpur.
4. The District Education Officer, Muzaffarpur, District- Muzaffarpur.
5. The District Programme Officer, (Establishment), Muzaffarpur District- Muzaffarpur.
6. The Headmaster, Nationalized Middle School, Jasauli, Motipur, District- Muzaffarpur.
7. The Provident Fund Officer, Muzaffarpur, District- Muzaffarpur.
8. The Treasury Officer, Muzaffarpur, District Muzaffarpur
9. The Accountant General, Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Vijay Kumar Singh, Advocate
For the Respondents	:	Mr. Subhash Chandra Mishra (SC16)
For Accountant General	:	Mr. Prabhat Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 24-06-2020

Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned counsel appearing on behalf of the Accountant General.

The issue involved in the instant writ petition is payment of interest on delayed payment. The petitioner was paid pensionary benefits after 21 years without statutory interest.

Learned counsel appearing on behalf of the petitioner has referred to the award dated 08.07.2017 passed by Lok



Adalat where it was agreed between the parties that the petitioner would be at liberty to raise his claim with regard to payment of statutory interest due to delay in accordance with the relevant circular and respondents were directed to take remedial measures within a period of three months. Unfortunately, till date neither interest has been paid nor any order was issued by the respondents in the light of consent award as contained in Annexure-P/8.

Under the aforesaid circumstances, the writ petition is disposed of with a direction to the respondents to ensure payment of statutory interest in terms of Payment of Gratuity Act, 1972 at the earliest preferably within a period of two months from the date of receipt/production of a copy of this order failing which the petitioner shall be entitled to 9% additional interest from the date of filing of the writ petition i.e. 25.02.2020 till the date of actual payment.

With the aforesaid observation and direction, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29.06.2020
Transmission Date	N.A.

