IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9988 of 2019

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Satish Rajak, Son of Late Ganga Rajak, Resident of Bhola Niketan, Jai Mahabir Colony, Sandalpur, P.S.- Bahadurpur, town and District- Patna.

... ... Petitioner/s

Versus

1. The Bank of India through the Assistant General Manager, Terminal Benefits Division, Human Resources Department, Head office, Star House, 8th Floor (west) Wing, C-5, G Block, Bandra- Kurla Complex, P.B. No. 8135, Bandra (East), Mumbai-400051.
2. The Assistant General Manager Terminal Benefits Division, Human Resources Department, Head office, Star House, 8th Floor (west) Wing, C-5, G Block, Bandra- Kurla Complex, P.B. No. 8135, Bandra (East), Mumbai-400051.
3. The Zonal Manager, Bank of India, Zonal Office, Hotel Chanakya Towers, Birchand Patel Marg, Patna- 800001.
4. The Chief Manager, Bank of India, Rajendra Nagar Colony Branch, R.K. Avenue, Rajendra Nagar, Patna- 800016.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Md. Nazir Ansari
For the Respondent/s : Mr.Ajay Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-06-2020 Heard learned counsel for the petitioner and the respondents.

In the present writ petition, the petitioner is claiming interest at the rate of 10% per annum on delayed payment of pension.

Mr. Ajay Kumar sinha, learned counsel appearing on behalf of the Bank, with reference to materials available on record submits that delay in payment is attributed to the petitioner. In fact the petitioner pursued the remedy of appeal (L.P.A.) after the decision in writ and the L.P.A. was decided on

21.03.2018 and thereafter arrears of pension and other admissible dues have been paid to the petitioner in May, 2018. Gratuity and P.F. amount was also paid to the petitioner on 14.06.2018 and in that view of the matter there is absolutely no delay on the part of the Bank in making payment to the petitioner.

Learned counsel for the petitioner submits that the amount payable was retained by the Bank from 31.10.2011 to 30.04.2018 and the amount kept with the Bank must have earned interest and as such the petitioner should be compensated with interest during the period 31.10.2011 to 30.04.2018.

Considering the totality of the facts situation, the Court directs the respondent Bank to pay simple interest admissible to the Saving Accounts from 31.10.2011 to 30.04.2018 within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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