

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13027 of 2018

Ram Nandan Prasad Chamari Garain resident K-515K Sector Hanuman Nagar, Kankarbagh, District Patna.

... .. Petitioner/s

Versus

1. The Bihar State Housing Board Through The Managing Director and Ors
2. The Secretary Bihar State Housing Board having his office at 6 Mangles Road, P.S. Sachivalaya, Dist
3. The Divisional Manager, Life Insurance Corporation of India having his office at Fraser Road, P.S.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vikas Mohan, Adv.
For the B.S.H.B.	:	Mrs. Kanak Verma, Adv.
For the Respondent/s	:	Mr. Anil Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 09-06-2020 The present matter has been taken up through virtual court proceeding.

None appears on behalf of the petitioner, however, Mrs. Kanak Verma, learned counsel for the Bihar State Housing Board and Mr. Anil Kumar Sinha, learned counsel for the respondent-State are present.

Through the present writ application, the petitioner has prayed for a direction to the respondent authorities to pay the remaining amount of gratuity i.e. Rs. 6,50,000/- with interest



at the rate of 18% per annum from due date till the actual payment is made as the petitioner has claimed the revised gratuity amount of Rs. 10 lacs against which he has only been paid Rs. 3.5 lacs. The relief as claimed in paragraph no.1 of the petition reads as follows:

“That this application is being filed for issuance of writ in the nature of mandamus directing the respondents to pay the remaining amount of gratuity i.e. Rs. 6,50,000/- with interest at the rate of 18% per annum from due date till the actual payment is made as the petitioner has received Rs. 3,50,000/- towards gratuity amount but the petitioner is entitled for Rs. 10,00,000/- towards gratuity as per policy taken by the Board in the light of sixth pay revision committee report and in the light of policy decision other retired employee have been sanction and paid Rs. 10,00,000/- towards gratuity amount.”

Mrs. Kanak Verma, learned counsel for the Bihar State Housing Board submits that Rs. 6.5 lacs have already been paid to the petitioner on 09.08.2019 and in view of the resolution of Bihar State Housing Board taken in its 253rd meeting dated 27.02.2017 that the payment will be made on improvement of financial condition of the Board, there is no question of payment of interest as of now. Hence in that view of the matter, the present application has become infructuous.

Accordingly, in view of the submission of learned



counsel for the Bihar State Housing Board, the present
application is disposed of as infructuous.

(Dinesh Kumar Singh, J)

Amrendra/-

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