

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17796 of 2016

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Krishna Kumar Singh S/o Late Narsinh Narayan Singh Resident of Village-Barkagaon, P.S.-Tarari, Distt-Bhajpur at Arrah, at Present residing at C/o-Birendra Kumar Meena Smriti Bhawan, Saketpuri Road no. 1B, North to New Bypass, Hanuman Nagar, Kankarbagh, Patna-800020 Petitioner/s
Versus

1. The State of Bihar
2. The principal Secretary, Water Resources Department, Govt. of Bihar, Patna
3. The Engineer-in-Chief, Water Resource Department, Govt. of Bihar, Patna
4. The Chief Engineer, Water Resources Department, Govt. of Bihar, Patna
5. The Executive Engineer, North Koel Canal Division, Water Resources Department, Govt. of Bihar, Patna
6. The District Magistrate, Aurangabad
7. The Accountant General, Bihar, Patna
8. The District Provident Fund Officer, Aurangabad
9. The Treasury Officer, Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Onkar Kumar
For the Respondent/s	:	Mr. Vikash Kumar-Sc11
For A.G.	:	Mr. Anshu Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

11 05-10-2020 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State as well as Accountant General.

Learned counsel for the petitioner submits that the respondents have consumed more than 12 years in settling the post retiral dues of the petitioner. Payments were made to the petitioner on 12.10.2015.

Learned counsel appearing on behalf of the State would submit that gratuity with full interest has been paid to the



petitioner but no interest is payable on difference of payment of pension which was belatedly paid to the petitioner. Undisputedly, the formality which was required to be completed at the level of the respondents, was not completed by them within time and only because of their failure, the petitioner was deprived of the payment of difference of arrears of pension for the period March, 2002 to September, 2015 as well as interest of GPF and gratuity from March, 2002 till date.

Considering the aforesaid, the writ petition is disposed of with a direction to the respondents to pay 9% simple interest from the date of retirement i.e. 28.2.2002 on payment of entire post retiral dues with detailed calculation chart. The payment of interest for the delayed payment must be paid to the petitioner within a period of three months from the date of receipt/production of a copy of this order.

It is made clear that the respondents would be liable to pay further interest on the entire dues @ 20 per cent per annum if the payment of interest is not paid within 3 months.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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