

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17608 of 2018

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Shailendra Kishore, S/o Late Rajendra Prasad, R/o Mohalla - A/3, Housing Colony, P.S. Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Minor Water Resources Department, Vikas Bhawan, Patna.
3. The Principal Secretary, Deptt. of Finance, Main Secretariat, Bihar, Patna.
4. The Director, Directorate of Provident Fund, Deptt. of Finance, Pant Bhawan, Patna.
5. The Chief Engineer, Geological, Minor Water Resources Deptt. Bihar, Patna.
6. The Deputy Director, Directorate of Provident Fund, Deptt. of Finance, Pant Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Advocate
For the Respondent/s : Mr.Ajit Kumar, GA-9

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

11 09-09-2021 The matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

The petitioner's wife retired as Geologist from Minor Water Resources Department, Government of Bihar, Patna with effect from 30.09.2015. She died on 01.03.2017. This writ application has been filed seeking a direction to the respondents to pay general provident fund amount, which could not be paid to the wife of the petitioner during her lifetime, with penal interest at the rate of 18%.



It is not in dispute, however, that now the admissible GPF amount has been paid to the petitioner in February 2021.

Mr. Subodh Prasad, learned counsel appearing on behalf of the petitioner has submitted that the petitioner is entitled to penal interest over and above the admissible interest over the GPF amount for delayed payment of the said amount and this Court, considering inaction on the part of the respondents in making payment of the said amount, should direct the respondents for payment of penal interest.

The submission made on behalf of the petitioner is completely misconceived. The petitioner has been admittedly paid the amount of GPF as has been found admissible by the authorities. There is no case made out for award of any penal interest over and above the amount of interest payable on the GPF amount.

This application stands disposed of as the petitioner's grievance, in Court's opinion, has been redressed to the extent the same relates to payment of admissible GPF amount.

(Chakradhari Sharan Singh, J)

Rajesh/-

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