

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.39 of 2021

In

Civil Writ Jurisdiction Case No.24735 of 2019

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1. The Central Board of Trustees, Employees Provident Fund Organization through the Regional Provident Fund Commissioner-II (Legal), Employees Provident Fund Organization, Regional Office, R. Block, Road No.6, P.S.- Sachivalaya, District- Patna.
 2. The Regional Provident Fund Commissioner, Employees Provident Fund, Bhavishya Nidhi Bhavan, R. Block, Road No. 6, Patna- 800001.

... .. Appellant/s

Versus

1. Chandra Shekhar Prasad Singh Son of Mahadev Prasad Singh Resident of Anwarpur, P.S. Hajipur Town District- Vaishali. Retired on 31.12.2013 as Driver, Head Office, Patna Bihar State Road Transport Corporation, Patna.
2. Virendra Kumar Singh Son of Late Suraj Singh Resident of Malkhachak, P.S. Dighwara, District- Saran, Retired on 31.11.2001 as Machenic C from the Service of Bihar State Road Transport Corporation Chapra Depot, Division, Chapra.
3. Chandeshwar Sharma Son of Late Jagarnath Sharma Resident of Hathsarganj, P.S. Hajipur Town, District- Vaishali, Retired on 31.01.2003 as Artison C from the Hajipur Pratisthan, Under Muzaffarpur Division of Bihar State Road Transport Corporation Patna.
4. Badri Prasad Son of Late Gopal Sahi Resident of Bataganj, P.S. Digha, District- Patna, Retired on 31.03.2014 as Driver from Jehanabad Depot, Gaya Division of Bihar State Road Transport Corporation Patna.
5. Uma Shankar Singh Son of Late Sant Lal Singh Resident of Village Dayalpur, P.S. Rajapakar, District- Vaishali, Retired on 30.02.2002 from Hajipur Office of Bihar Road Transport Corporation Muzaffarpur Division.
6. Om Prakash Singh Son of Late Mohan Singh Resident of Madhubani Basantpur, P.S. Amnaur, District- Saran, Retired on 31.07.2011 Working as Statistical Clerk Division Office Chapra Division.
7. Ravindra Nath Sharma Son of Late Jog Lal Thakur Resident of Ward No. 17 Kutubpur, P.S. Bidupur, District- Vaishali, Retired on 30.04.2003 as Machenic C from Muzaffarpur Depot Division Muzaffarpur of Bihar State Road Transport Corporation.
8. Jagdish Narayan Chaudhary Son of Late Shivnandan Choudhary Resident of Village- Nakhas, P.S. Hajipur Town District- Vaishali, Retired on Director from Hajipur Depot Muzaffarpur Division.
9. Shivdani Sharma Son of Late Ram Dayal Sharma Resident of Chapra Megh, P.S. Musahari, District- Muzaffarpur, Retired on 29.02.2012 as Helper from Muzaffarpur Depot of Muzaffarpur Division of Bihar State Transport Corporation Patna.
10. Dinesh Prasad Chaurasiya Son of Late Basdeo Chourasia Resident of Village Jasna Baraitol, P.S. Industrial Area Hajipur, District- Vaishali,



Retired on 31.03.2005 as Helper from Ranipur Depot of Muzaffarpur Division of Bihar State Road Transport Corporation, Patna.

11. Umesh Prasad Singh Son of Late Ram Bilas Singh Resident of Anwarpur, P.S. Town Hajipur, District- Vaishali, Retired on 31.01.2003 as Conductor From Muzaffarpur Depot Muzaffarpur Division of Bihar State Road Transport Corporation Patna.
12. Harivansh Rai Son of Late Aklu Rai Resident of Village Majhauri, P.S. Belsar, District- Vaishali, Retired on 31.05.1999 as Driver From Muzaffarpur Depot of Muzaffarpur Division of Bihar State Road Transport Corporation Pariwahan Bhawan, Patna.
13. Gautam Pandey Son of Late Ram Ayodhya Pandey Resident of Village Iskiyan Laljitola, P.S. Maharajganj, District- Siwan, Retired on 31.01.2004 from the Service of Bihar State Road Transport Corporation from Muzaffarpur Depot, Division, Muzaffarpur.
14. Shyam Nath Sharma Son of Late Puranmasi Sharma Resident of S.D.O. Kazi Mohammad, P.S. Kazi Mohamadpur, District- Muzaffarpur, Retired from the Service of Bihar State Road Transport Corporation Muzaffarpur Depot Muzaffarpur Division Working as Artisan B.
15. Chandeshwar Prasad Son of Late Harihar Prasad Gupta Resident of Sahpur, P.S. Brahmpura, District-Muzaffarpur, Retired from the Service of Bihar State Road Transport Corporation on 31.01.2013 working as Artisan C From Muzaffarpur Depot Muzaffarpur.
16. Thakur Lalan Prasad Singh Son of Ram Pukar Singh Resident of Gandhi Ashram, P.S. Town Hajipur District- Vaishali, Retired on 31.01.2002 as Lipik from Hajipur Depot, Muzaffarpur Division of Bihar State Road Transport Corporation, Patna.
17. Lakshman Prasad Singh Son of Late Baidyanath Resident of Village Industrial Area, P.S. Industrial Area District- Vaishali, Retired on 30.11.2010 as Atrisan C From the Service of Bihar State Road Transport Corporation Corporation, Motihari Depot of Muzaffarpur Division.
18. Md. Shamas Alam Son of Late Md. Tahim Resident of Hilalpur Madarpur, P.S. Gangabridge, District- Vaishali, Retired on 31.05.2003 as Traffic Clerk from Hajipur Depot, Muzaffarpur Division of Bihar State Road Transport Corporation.
19. Sitaram Prasad Son of Late Devendra Prasad Resident of Majhauria Road, P.S. Kazimohamadpur, District- Muzaffarpur, Retired on 31.01.1991 as Traffic Clerk from Bihar State Road Transport Corporation Muzaffarpur Division.
20. Udho Singh Son of Late Rama Singh Resident of Amnori, P.S. Siwan, District- Siwan, Retired on 31.03.2014 as Driver from Bihar State Road Transport Corporation, Muzaffarpur Depot of Muzaffarpur Division.
21. Hari Narayan Poddar Son of Late Anandi Prasad Resident of Village Hawatpur, P.S. Samastipur, District- Samastipur, Retired on 31.05.2001 as Artisan C From Motihari Depot of Bihar State Road Transport Corporation Muzaffarpur Division.
22. Suresh Thakur Son of Late Durga Thakur Resident of Village Budhauri Deoganj, P.S. Bochhan, District- Muzaffarpur Retired on 31.03.2009 as



- Traffic Clerk in Bihar State Road Transport Corporation, Muzaffarpur Division.
23. Viveka Prasad Singh Son of Giridar Narain Singh Resident of Village Teliya Colony, P.S.- Fulli Dumar, District Banka, Retired on 30.11.2004 as Traffic Clerk in Bihar State Road Transport Corporation, Muzaffarpur Division.
 24. Gopalji Prasad Son of Late Devendra Prasad Resident of Village Majhauria Road, P.S.- Kajimohamadpur, District- Muzaffarpur, Retired on 31.03.2004 as Traffic Clerk in Bihar State Road Transport Corporation, Muzaffarpur Division.
 25. Chinta Mani Devi Widow of Late Rajendra Nath Pandey Resident of Khanjadpur, P.S. Minapur, District- Muzaffarpur, her Husband died on 02.12.2001, Posted as Conductor in Saharsa Depot Purnea Division, Bihar Station Road Transport Corporation, Patna.
 26. Noorjahan Widow of Late Allauddin Resident of Minapur, P.S. Hajipur Town, District- Vaishali . her husband retired on 30.11.1997 as Artisan B from Hajipur Depot of Muzaffarpur Division of Bihar State Road Transport Corporation, Patna.
 27. Asha Devi Wife of Late Deobal Ram Resident of Bandhutola, Hathsarganj, P.S.- Town Hajipur, District- Vaishali, her husband retired on 31.8.2003 as Sweeper from the Service of Bihar State Road Transport Corporation, Muzaffarpur Depot, Muzaffarpur Division.
 28. Shashi Prabha Devi Wife of Late Devenda Prasad Resident of Majhauria Road, P.S.- Kazi Mohammadpur, District- Muzaffarpur, Her husband retired on 31.1.2009 as Chief Accounts Officer from Bihar State Road Transport Corporation, Patna.
 29. Kajama Devi Wife of Late Uday Kumar Resident of Village- Krishnapur, P.S. Sadar, District- Muzaffarpur, Her husband retired on 30.9.2003 as Conductor in Bihar State Road Transport Corporation, Muzaffarpur Depot, Muzaffarpur Division.
 30. The Bihar State Road Transport Corporation through the Administrator, Beerchand Patel Marg, Patna, Bihar.
 31. The Administrator, Bihar State Road Transport Corporation, Beerchand Patel Marg, Patna, Bihar.
 32. The Chief Accounts Officer, Bihar State Road Transport Corporation, Beerchand Patel Marg, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajeev Kumar Verma, Sr. Advocate Mr. Prashant Sinha, Advocate
For the Respondent/s	:	Mr. Prabhat Kumar Verma, AAG-3 Mr. Sanjay Kumar Ghosarvey, AC to AAG-3 Mr. Naresh Chandra Verma, Advocate Mr. Natraj Verma, Advocate



**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 06-09-2021

The instant Letters Patent Appeal has been preferred against the order dated 22nd of June, 2020 passed by a learned Single Judge of this Court in C.W.J.C. No. 24735 of 2019, titled as Chandra Shekhar Prasad Singh & Ors. Vs. The Bihar State Road Transport Corporation & Ors.

Shri Natraj Verma, learned counsel for the writ-petitioners, respondents herein, states that the order in question stands complied with within the time stipulated in terms of the impugned order.

Statement accepted and taken on record.

Shri Prashant Sinha, learned counsel for the appellants states that perhaps the writ-petitioners may initiate proceedings for contempt for non-payment of additional amount of interest at the rate of 9 per cent.

In view of the statement made on behalf of the writ-



petitioners, we do not find such an eventuality encompassing in the near future.

Be that as it may, we clarify that writ-petitioners are entitled to only that part of interest, which is statutory in nature.

Impugned order dated 22nd of June, 2020 passed in C.W.J.C. No. 24735 of 2019, titled as Chandra Shekhar Prasad Singh & Ors. Vs. The Bihar State Road Transport Corporation & Ors. is clarified to the aforesaid extent.

The Letters Patent Appeal stands disposed of.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/P.K.P

AFR/NAFR	
CAV DATE	
Uploading Date	08.09.2021
Transmission Date	

