

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7638 of 2021

Shyam Kishore Prasad Sinha son of late Meghnath Prasad Sinha resident of Flat No. 302, Om Sharnam Apartment, Punaichak, Police Station- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Urban Development Department, Government of Bihar, New Secretariat, Patna.
4. The Bihar State Housing Board, Sardar Patel Marg, Patna through its Managing director.
5. The Managing Director, Bihar State Housing Board, Sardar Patel Marg, Patna.
6. The Secretary, Bihar State Housing Board, Sardar Patel Marg, Patna.
7. The Regional Commissioner, Employees Provident Fund Office, Bhavishya Nidhi Bhawan, R Block, Road No. 6, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rabi Bhushan Prasad No. 1, Adv.
For E.P.F.O.	:	Mr. Sanjay Singh Thakur, Adv.
For the BSHB	:	Ms. Anuradha Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 08-05-2023 1. Mr. Rabi Bhushand Prasad No. 1, learned counsel appearing on behalf of the petitioner, Mr. Sanjay Singh Thakur, learned counsel appearing on behalf of the E.P.F.O. and Ms. Anuradha Singh, learned counsel appearing for the B.S.H.B.

2. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner has joined regular establishment on the post of Assistant Architecture from the date of his initial appointment i.e. on 01.09.1975.

3. The respondents have paid almost all the retiral dues payable to the petitioner. However, the respondents have



not considered to grant benefit of 2nd A.C.P. w.e.f. 01.09.2007 which was payable to him, but the same was paid to the petitioner on 20.01.2023.

4. The petitioner is now aggrieved for non-payment of admissible interest on account of delayed payment.

5. Learned counsel appearing on behalf of the respondents submits that the petitioner can claim interest in accordance with law.

6. Considering the rival submissions of the parties, the petitioner if so advised, may file a detailed representation before the concerned authority, who will take ensure to revise the pension of the petitioner and make payment of dues amount along with interest.

7. The representation of the petitioner is directed to be disposed off within a period of six weeks from the date it is filed in light of the Apex Court law laid down in ***D.D.Tewari Vs. Uttar Haryana Bijli*** reported in ***(2014) 8 SCC 894***.

8. Accordingly, the writ petition stands disposed of.

(Purnendu Singh, J)

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