

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3514 of 2023

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1. Mahavati Devi W/o- Late Ramadhar Thakur D/o-Late Chandar Thakur, R/o-Water Board Block 2 Quarter 3 Patiliputra Panitanki, P.S.-Patliputra Patna-13.
 2. Bishekha Devi @ Bishekha W/o Late Laxmi Mahto R/o-Near Devisthan, Etwarpur, Kurthaur, Patna-804453
 3. Shanti Devi W/o-Late Deendra Prasad Singh R/o Village and P.O.-Bashti Jalal P.S.-Dighwara, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The Municipal Corporation, through its Municipal Commissioner, Head Office, Mouriyalok, Patna.
3. The Executive Officer of its respective Circle of Patna, Municiple Corporation, Patna.
4. The Municiple Finance and Account Controller, Patna Municiple Corporation, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjiv Kumar, Adv.
For the State	:	Mr. Nirmal Kumar Sinha, Adv.
For the P.M.C.	:	Mr. Ranjeet Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 21-08-2023

Heard Mr. Sanjiv Kumar, learned counsel appearing on behalf of the petitioners, Mr. Nirmal Kumar Sinha, learned counsel appearing on behalf of the State and Mr. Ranjeet Kumar Pandey, learned counsel appearing on behalf of the Patna Municipal Corporation.



2. Learned counsel appearing on behalf of the petitioners informs that the petitioners have not been paid interest on account of delay in making payment of different heads of retiral dues from the date it was required to be paid to the petitioner.

3. Mr. Ranjit Kumar Pandey, learned counsel appearing on behalf of the Patna Municipal Corporation informs that taking into consideration the financial paucity the Patna Municipal Corporation is not in a position to make payment of any dues to the petitioners.

4. Considering the rival submission made on behalf of the parties, learned counsel for the petitioner seeks to file detail representation before the Patna Municipal Corporation, who will call for the service records relating to the petitioners with respect to the payment of retiral dues from the respective Executive Officer of respective Circle, where the husband of the petitioner was posted and ensure to make payment of interest in accordance with law as per the law laid down by the Hon'ble Apex Court in case of **State of Kerala Vrs. M. Padmanabhan Nair** reported in (1985) 1 SCC 429 and **D.D. Tewari Vrs. Uttar Haryana Bijli** reported in (2014) 8 SCC



894 within a period of six weeks from the date of filing of representation.

5. With the above observation and direction the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

