

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15744 of 2023

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Uday Kumar Joshi Son of Sri Ramanugrah Prasad Resident of Mohalla-Ward
no. 27 Ram Jiwan Chowk Pokhra, P.S.-Hajipur, District-Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secrerary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Health, Govt. of Bihar, Patna.
3. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
4. The Civil Surgeon Cum Chief Medical officer, Vaishali at Hajipur.
5. THE Additional Chief Medical Officer-Cum-Drawing and Disbursing Officer, District T.B. Centre, Vaishali at Hajipur,
6. The Treasury Officer, Vaishali at Hajipur.
7. The District Tuberclosis Officer, District-Tuberculosis Centre, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. S. D. Yadav, AAG-9
	:	Mr. Anil Kumar Verma, AC to AAG-9

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 10-11-2023

Heard Mr. Sanjay Kumar, learned Counsel

appearing on behalf of the petitioner and Mr. S. D. Yadav,
learned AAG-9 appearing on behalf of the respondent/s.

2. Learned counsel appearing on behalf of the petitioner seeks to file detailed representation before the Civil Surgeon-Cum-Chief Medical officer, Vaishali at Hajipur with respect to petitioner's entitlement to payment of interest on delayed payment of retiral benefits and payment of retiral dues under respective heads.

3. The Civil Surgeon-Cum-Chief Medical officer, Vaishali at Hajipur is directed to call for service particulars of the petitioner as evidence for retiral dues under different heads and ensure to make payment of interest from the date of retirement of the petitioner i.e. 31.01.2021, till the date of payment under different heads. The law with respect to payment on account of delay in payment of retiral dues under different heads in **State of Kerala Vs. M. Padamanabhan Nair** reported in **(1985) 1 SCC 429** and **D.D. Tewari Vs. Uttar Haryana Bijli** reported in **(2014)8 SCC 894**, in which it has been held that the employer can not deny statutory interest on account of delay in making payment, which is at the fault of the State Authorities.

4. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

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