

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21869 of 2019

Dr. Awadhesh Kumar Srivastava Son of Late Sinhasan Prasad Srivastava,
Resident of Village and Post-Dumar Narendra, P.S.-Bhore, District-
Gopalganj, Bihar at present residing at Q. No. 488/B Block-A Ram Janki
Nagar (Near Nagbansh Building Material), Vashakhpur, Gorakhpur, U.P., Pin-
273001.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Animal Husbandry and Fisheries, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The District Provident Fund Officer, Gopalganj.
4. The Treasury Officer, Gopalganj.
5. The Block Development Officer, Kataiya, Gopalganj.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv.
For the State	:	Mr. Rishi Raj Sinha (Sc19), Mr. Saurabh Kumar, AC to SC-19
For respondent no. 6		
Accountant General	:	Mr. Ram Yash Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

7 21-06-2023 Heard Mr. Sanjay Kumar, learned counsel

appearing on behalf of the petitioner, Mr. Rishi Raj Sinha

and Mr. Saurabh Kumar, learned counsels appearing on

behalf of the State and Mr. Ram Yash Singh, learned

counsel appearing on behalf of the Accountant General.

2. Learned counsel appearing on behalf of the



petitioner informs this Court that all the retiral dues admissible to the petitioner including provident fund has been paid to him. However, the petitioner is aggrieved that the payment has been made after delay of 19 years and he is entitled for statutory interest for delayed payment.

3. The petitioner is entitled to interest @ 12.5% in light of the law laid down in this regard by the Apex Court in case of **State of Kerala v. M. Padmanabhan Nair reported in (1985) 1 SCC 429** and subsequently in **D.D.Tewari v. Uttar Haryana Bijli reported in (2014) 8 SCC 894**, which has recently been followed by this Court in **C.W.J.C. No. 20378 of 2018 (Munakiya Devi Vrs. The State of Bihar & Ors.)**.

4. Considering the aforesaid submission made by the petitioner, it is admitted that petitioner has already been paid the entire dues including provident fund along with simple interest, but after delay of 19 years.

5. Considering the fact that the District Provident Fund Officer has made payment of provident fund payable to the petitioner after lapse of 19 year, for which petitioner is entitled to interest.

6. If the petitioner files the detailed representation



before the District Provident Fund Officer, he is directed to consider the grievance of the petitioner and dispose of his representation within a period of six weeks.

7. Accordingly, the writ petition stands disposed of.

(Purnendu Singh, J)

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