

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9589 of 2021

Chandeshwar Paswan, Son of Late Rameshwar Paswan, Village- Jamalpura,
P.o.- Korawan, Via- Naubatpur, P.S.- Naubatpur, District- Patna- 801109

... .. Petitioner/s

Versus

1. State of Bihar through the Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Nirman Bhawan, Bailey Road, Patna-800015
2. Superintending Engineer, Bihar Rajya Jal Parshad (dissolved), Bihar Urban Infrastructure Development Co. Ltd. (BUIDCO), Ganga Project Circle No. 1, presently Public Health Engineering Department, West Boring Canal Road, Rajapur Pull, P.S.- Budha Colony, Nirman Bhawan, Bailey Road, Patna-800001
3. Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna-800001
4. Managing Director, Bihar Urban Infrastructure Development Co. Ltd. (BUIDCO), West Boring Canal Road, Rajapur Pull, P.S.- Budha Colony, Patna-800001
5. Executive Engineer, Bihar Rajya Jal Parshad, Ganga Project Division no. 1, STP, Saidpur, Patna-800004 (now restructured as Buidco), Bankipur Anchal, Saidpur, Patna-800004
6. Assistant Commissioner, (Accounts Administration), GPF Directorate, Finance Department, Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prakash Kumar, Advocate
For the Respondent/s	:	Mr. Subhash Prasad Singh, GA-3
		Mr. AC to GA-3
For the BUIDCO	:	Mr. Rabindra Kumar Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 03-09-2024

Heard Mr. Prakash Kumar, learned Advocate for the petitioner and Mr. Subhash Prasad Singh, learned Advocate for the State as well as Mr. Rabindra Kumar Priyadarshi, learned Advocate for the Bihar Urban Infrastructure Development Co. Ltd.



2. The petitioner superannuated on 31.03.2019 from the post of Peon. Despite his superannuation, when he has not been accorded his post-retiral dues and other benefits, he approached this Court seeking payment of remaining amount of retiral dues under the head of GPF, Leave Encashment and Group Insurance.

3. Adverting to the counter affidavit, learned Advocate for the petitioner submitted that after filing of the writ petition, though amount of Leave Encashment, Group Insurance and GPF have been paid to the petitioner, but belatedly in the year 2021, thus in any view of the matter, the petitioner is entitled for interest over the delayed payment.

4. Learned Advocate for the respondents submitted that the petitioner was initially joined on the post of peon on 09.08.1978 in the department of Public Health Engineering, from where he was transferred in 1994 to the Divisional Office No.1, Ganga Project at Malahi Pakri, Kankarbagh, Patna. The Divisional Office later on shifted at Saidpur, Patna as Divisional Office No.1, Ganga Project. The petitioner was thereafter transferred on different places, as has been stated in para. 6 and 7 of the writ petition.

5. It is next contended that since the entire nation



was put to stand still on account of Covid-19 Pandemic and because of the services being rendered on different places, some delay has occurred in collecting the necessary papers. However, as soon as the papers have been collated, the admissible amounts have been paid to the petitioner in the year 2021 itself.

6. Considering the submissions advanced on behalf of the learned counsel for the respective parties and taking note of the fact that the admissible amount under the head of Group Insurance, Leave Encashment and GPF have been paid to the petitioner, this Court consigned the writ petition.

7. However, if the petitioner is still not satisfied and wants to raise his grievance with respect to interest over the delayed payment, he is at liberty to file appropriate application before the competent authority.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2024
Transmission Date	NA

