

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.400 of 2021
In
Civil Writ Jurisdiction Case No.1954 of 2019

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1. The Central Board of Trustees Employees Provident Fund Organization through the Regional Provident Fund Commissioner, Employees Provident Fund Organization, Regional Officer, R-Block Road No.6, P.S.-Sachivalaya, District-Patna, Bihar.
 2. The Regional P.F. Commissioner, Employees Provident Fund Organization, R-Block, Patna, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary Cum Commissioner, Finance Department, Bihar, Patna.
2. The Regional Manager, Punjab National Bank, Boring Road, Patna.
3. The Branch Manager, Punjab National Bank, Babhani Branch, Sasaram, Rohtas,
4. Hiralal Ram, Son of Late Shiv Pujan Ram Resident of Village-Bahuara, P.O.-Pipra, P.S.-Kargahar, District-Rohtas.
5. Bhola Kumar Ram Son of Late Shiv Pujan Ram, Resident of Village-Bahuara, P.O.-Pipra, P.S.-Kargahar, District-Rohtas.
6. Dularii Kumari D/o Late Shiv Pujan Ram and Wife of Jai Prakash Ram Resident of Village-Ulloh, P.O.-Barkadih, Dist.-Rohtas.
7. Usha Devi D/o Late Shiv Pujan Ram, Wife of Raj Kumar Ram, Resident of Village-Indore, P.O.-Bisunpur, Kochas, Dist.-Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manish Kumar, Advocate
For the Respondent/s : Mr.Parijat Saurav, AC to AAG13

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 11-11-2024

Re:I.A. No. 01 of 2024

Heard I.A. No. 01 of 2024 The appellant has assailed
the order of the learned Single Judge insofar as granting interest
on belated settlement of retiral dues of the contesting



respondent. There is a delay of about 115 days in filing the present LPA. For the reasons stated in application read with the affidavit delay of about 115 days stands condoned. Accordingly, I.A. No. 01 of 2024 stands allowed.

2. With the consent of the respective counsels main matter is taken up for final disposal. Short question for consideration in the present *lis* is whether contesting respondent is entitled to interest on belated settlement of retiral dues or not? The learned Single Judge has awarded interest on belated settlement @ 5% per annum.

3. Appellants have contended that timely cheques were issued in the name of Punjab National Bank for further disbursement of pension to the contesting respondent. During the course of communication, there is a delay on the part of Punjab National Bank in disbursing the pension amount of the contesting respondent. Therefore, imposition of 5% interest on belated settlement of pension benefits is not warranted.

4. Undisputed facts are that there is delay in settlement of retiral benefits of the contesting respondent. Irrespective of which party committed delay is irrelevant. If there is lack of communication between the appellants and the Punjab National Bank – respondent. Ultimately, the interest



amount is required to be paid by the appellant. If there are any lapses on the part of Punjab National Bank – respondent, in that event appellants have to approach the Punjab National Bank in claiming the aforementioned interest amount.

5. Be that as it may, appellants have to pay the interest in the light of the order of the learned Single Judge dated 04.02.2021. Thereafter, it is permissible for the appellants to recover from the Punjab National Bank in the manner known to the law.

6. With above observation, the present LPA No. 400 of 2021 stands disposed of.

7. First appellant is hereby directed to calculate interest on belated settlement of retiral dues of the contesting respondent and settle interest amount in the light of learned Single Judge order dated 04.02.2021 within a period of six weeks from today, failing which the contesting respondent is also entitled to litigation cost and it is quantified at Rs. 10,000/- (Rupees Ten Thousand Only).

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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