

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8612 of 2023

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Shyam Kishore Sinha @ Shyam Kishore Singh, Male, aged about 75 years
S/O Late Nawal Kishore Sinha, Resident of House No. 157, Arya Kumar
Road, Rajendra Nagar, Patna, Bihar.

... .. Petitioner/s

Versus

1. The Bihar State Co-operative Bank Ltd. through its Managing Director
Ashok Raj Path Patna - 4.
2. The Managing Director, Bihar State Co-operative Bank Ltd., Ashok Raj Path
Patna - 4.
3. The Regional Provident Fund Commissioner, Employees Provident Fund
Office, R-Block Road No. -6, Patna - 1.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prabhat Kishore, Adv.
For the Respondent/s	:	Mr. Prashant Kumar, Adv.
		Mr. Rishi Raj Raman, Adv.
For the Bank	:	Mr. S. N. Pathak, Adv.
		Mr. Prashant Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

6 14-03-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the
following reliefs:-

*“(i) A writ in the nature of
mandamus or any other appropriate writ,
order /direction commanding the
respondents to pay the Petitioner his full
provident fund amounts calculating the
interest till the payment is made.*

*(ii) A writ in the nature of
mandamus or any other appropriate writ,
order. direction, commanding the
Respondents not to adjust the advance*



loan amount from his Employee Provident Fund Principal amount before his retirement.”

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner retired from the service on 30/12/2007.

4. The admissible dues were paid but with delay on 07.09.2019. The petitioner is entitled for statutory interest on account of delay in payment from 09.05.2015 till 07.09.2019.

5. The Managing Director, Bihar State Co-operative Bank Limited must recalculate the interest which has accrued on the contribution made in the account of the petitioner till 07.09.2019 and get all the formalities done with respect to payment, including the fresh filling up of the forms by the petitioner and forward the same to the Regional Provident Fund Commissioner, Patna.

6. The Regional Provident Fund Commissioner, Patna must ensure at his own level to recalculate the interest and verify, as to whether, the recalculation approved by the Managing Director of the Co-operative Bank has some arithmetical mistake, then in that case he must accordingly advise and get all the formalities done within a period of six weeks in accordance with law after providing petitioner an



opportunity to place his grievance.

7. Accordingly, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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