

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10617 of 2024

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Anandi Devi, Wife of Late Jiwachh Yadav, Resident of Village- Mahindwar,
Ward No.12, Police Station- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Primary Education, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Madhubani.
5. The District Programme Officer, Madhubani.
6. The District Education Officer, Madhubani.
7. The Accountant General, Bihar, patna.
8. The Treasury Officer, Madhubani.
9. The Chief Manager, Allahabad Bank (Indian Bank) 2nd Floor No.7 Prakasan Salai opposite- Panagal Park, T. Nagar Chainai, Pin Code-600017.
10. The Assistant General Manager, Allahabad Bank (Indian Bank) Zonal office, Muzaffarpur.
11. Senior Manager/Branch Manager, Allahabad Bank (Indian Bank) Nanour, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lakshmindra Kumar Yadav, Adv. Mr. Prabhu Narayan Prabhakar, Adv.
For the Respondent/s	:	Mr. Prabhu Naryan Sharma, AC to AG
For the Resp Nos. 1 to 8 :		Mr. Prabhat Ranjan, Adv.
For the Resp No. 9 to 11 :		Mr. Nishi Nath Ojha, Adv. Mr. S.K. Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-04-2025

Heard the parties.

2. The petitioner has approached this Court seeking a
direction upon the respondent authorities to make payment of
interest over the refunded amount of Rs.4,05,062/-, which was



arbitrarily recovered by the Bank after the death of the petitioner's husband, however, the same has been refunded to the petitioner pursuant to the order of this Court passed in C.W.J.C. No.1495 of 2023.

3. Learned Advocate for the petitioner contended that earlier the petitioner had moved before this Court in C.W.J.C. No. 1459 of 2023 seeking a direction to declare that the recovery from the pension account of the late husband of the petitioner to the tune of Rs.4,05,062/- is completely wrong and illegal with a further prayer to refund the recovered amount with interest. The learned Court having heard the parties has disposed off the writ petition with a direction to the Indian Bank to refund the amount back in the bank account of the petitioner within a period of four weeks. It is the contention of the learned Advocate for the petitioner that on the previous occasion, the interest over the refunded amount has not been accorded; hence, the present writ petition.

4. Learned Advocate for the Bank has made a preliminary objection with regard to the maintainability of the writ petition in view of the fact that earlier the petitioner had approached this Court for identical relief(s), as has been prayed for in the writ petition. However, the Court has only directed to



refund the amount to the tune of Rs.4,05,062/-. There is no direction for interest over the refunded amount; hence, in any view of the matter, the writ petition is completely barred by *res judicata*.

5. Considering the submissions advanced by the learned Advocate for the respective parties and after going through the Bench decision of this Court in C.W.J.C. No. 1495 of 2023, this Court finds substance in the submission of the learned Advocate for the Bank. This Court does not find any reason or occasion to interfere in the writ petition. Accordingly, the writ petition stands dismissed.

(Harish Kumar, J)

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