

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3749 of 2019

In
Civil Writ Jurisdiction Case No.2889 of 2018

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Beni Madhaw Pandey, Son of Late Pahwari Pandey, Resident of Village -
New Kamal Nath Nagar, Road No.3, Near Sant Micle Prep School, Ward No.
23, Police Station - Bettiah Town, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Water Resources Department,
Bihar, Patna.
2. Arun Kr. Singh, The Secretary cum Commissioner, Water Resources
Department, Bihar, Patna.
3. Gorakh Nath, The Under Secretary, Water Resources Department, Sinchai
Bhawan, Patna.
4. Girish Chandra Safi, The Executive Engineer, Tirhut Canal Division No.2,
West Champaran, Bettiah.
5. Akhauri Harendra Prasad, The District Provident Fund Officer, District-
West Champaran, Bettiah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr. Anjani Kumar (AAG-4)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the parties.

2. This contempt petition has been filed alleging
violation of the order dated 19.12.2018 passed in C.W.J.C.
No. 2889 of 2018, wherein, the District Provident Officer,
West Champaran at Bettiah was directed to calculate and
pay the interest of petitioner's G.P.F. amount of Rs.
6,09,888/- within a period of one month from the date of



receipt of a copy of the order. It was further provided that any statutory and admissible interest, due to late payment, should also be paid to the petitioner.

3. Opposite Party No.5 – the District Provident Fund Officer, West Champaran, Bettiah has filed a show cause, wherein, in paragraph nos. 4, 5 & 6, it has been stated as under:

“4. That in compliance of the order dated 19.12.2018 passed by Hon’ble Court in C.W.J.C. No. 2889/18, it is very necessary to bring the notice before this Hon’ble Court that writ petitioner has got his retirement on 31.07.2019, the calculated G.P.F. amounting Rs. 609888/- with interest till after 6 months of his retirement from date of joining has already been paid to the writ petitioner vide authority slip dispatch No. BT/2015/FP/676 and dispatch date 29.12.2015.

5. That so far interest for Late payment is concerned, it is respectfully submitted that on the basis of enquiry report, the Director, Finance Department, Patna Bhawan, Patna, the authority slip of the interest from 01.01.2014 to 31.12.2015 i.e. amounting Rs. 111677/- has already been issued to the writ petitioner.

6. That so far claim made by the writ petitioner for making the payment of interest amounting Rs.



447276/- till 31.12.2018 is illegal erroneous, and unjustified the all statutory and admissible interest has already been paid to the writ petitioner.”

4. On perusal of the show cause filed by the Opposite Party No.5, I find that interest amount of Rs. 1,11,677/- has been calculated as payable to the petitioner, which has also been paid to the petitioner. I also find that the O.P. No.5 has stated that the claim of the petitioner that he is entitled to an interest amount of Rs. 4,47,276/- is illegal and erroneous.

5. Under the aforesaid circumstances, in view of the fact that this Court in the order dated 19.12.2018 passed in C.W.J.C. No. 2889 of 2018 has not mentioned the specific interest amount and direction to the respondent authorities was to calculate the interest on the G.P.F. amount already paid and thereafter make payment to the petitioner including the statutory and admissible interest, I find that the order dated 19.12.2018 passed in C.W.J.C. No. 2889 of 2018 has been duly complied with by the respondents.

6. Accordingly, this contempt petition is hereby



closed and disposed of with a liberty to the petitioner to
agitate the quantum of interest that has been paid to the
petitioner by the respondents before the appropriate forum,
if so advised.

(Nani Tagia, J)

Nilmani/-

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