

(1999) 08 PAT CK 0095
In the Patna High Court
Case No : C.W.J.C. No. 9769 of 1998

Sri. Jagdeo Sinha

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 17-08-1999

Acts Referred:

Citation : (2000) 2 PLJR 5

Hon'ble Judges : R.M. Prasad, J

Bench : Single Bench

Advocate : Ram Naresh Sharma, for the Appellant; Y.V. Giri, S. Iqbal Ahmad for University and Tripurari Nath Ambastha, for State, for the Respondent

Judgement

R.M. Prasad, J.—In this writ petition the Petitioner, who claims to have superannuated from the service of the Rajendra Agricultural University, Pusa while working as Technical Supervisor in Tirhut College of Agricultural Dholi on 30th April, 1989, is aggrieved by non-payment of his pensionary benefits now for over ten years.

2. Learned Counsel for the University submits that the Petitioner was being paid his provisional pension. However, he admits that the remaining retirement benefits were only paid to the Petitioner on 25.1.1999, for which no plausible explanation has been given on behalf of the University. Under such circumstances, it has rightly been submitted by the learned Counsel for the Petitioner that the Petitioner is entitled for interest and cost on account of delayed payment.

3. Accordingly, this Court disposes of this writ petition with the direction to the Vice-Chancellor of the University (Respondent No. 2) that the Petitioner shall be entitled for interest at the rate of 10% per annum from due date till the date of payment over the amount paid on 25.1.1999. The Petitioner will also be entitled for a cost of Rs. 5,000/- (five thousand). The Respondent No. 2 shall get the amount of interest calculated and pay the same along with cost within three

weeks of the receipt/production of a copy of this order.