

Bindeshwar Choudhary Vs. State of Jharkhand and ors.

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Court : Jharkhand

Decided On : Jan-31-2006

Reported in : [2006(2)JCR75(Jhr)]

Judge : S.J. Mukhopadhaya, J.

Appeal No. : W.P. (S)No. 3172 of 2005

Appellant : Bindeshwar Choudhary

Respondent : State of Jharkhand and ors.

Advocate for Def. : A.K. Mehta, Adv.

Advocate for Pet/Ap. : A. Shankar, Adv.; J.P. Gupta, A.S.G.

Judgement :

ORDER

S.J. Mukhopadhaya, J.

1. Mr. Gautam Sen Gupta, Regional Commissioner, D- I, Coal Mines Provident Fund, Dhanbad appeared and submitted that apart from Provident Fund, the Pension amount has also been paid.

2. Learned counsel for the petitioner submits that the respondents have paid the pension after thirty-three months of his retirement, but no interest has been paid.

3. Having heard counsel for the parties and taking into consideration the fact that the respondents have not released the Pension, while this Court is not inclined to 'impose any cost, taking into consideration and fact that there was no laches on the part of the petitioner, direct, the Regional Commissioner, D-I, Coal Mines Provident Fund, Dhanbad to pay the petitioner interest @ 5% on total arrears of pension as has been paid, to be calculated from the date of retirement, till the amount has been paid. The interest should be paid within one month from the date of receipt/production of a copy of this order,

4. Appearance of Mr. Gautam Sen Gupta, Regional Commissioner, D-I, Coal Mines Provident Fund, Dhanbad is dispensed with.

5. The writ petition stands disposed of.

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