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ITEM NO.24

COURT NO.8

SECTION

S U P R E M E C O U R T O F  
R E C O R D O F P R O C E E D I N G S

I N D I A

Petition(s) for Special Leave to Appeal (C)...../2015  
CC No(s). 173/2015

(Arising out of impugned final judgment and order dated 13/05/2014  
in LPA No. 1658/2011 passed by the High Court of Judicature at  
Patna)

BIHAR STATE FINANCIAL CORPORATION & ORS.  
er(s)

Petition

VERSUS

STATE OF BIHAR & ORS.  
nt(s)

Responde

(with appln. (s) for c/delay in filing SLP and c/delay in refiling  
SLP)

Date : 12/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA  
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s)

Mr. M. P. Jha, Adv.  
Mr. Harshvardhan Jha, Adv.  
Mr. Ram Ekbal Roy, Adv.  
Mrs. Yugandhra Jha, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Delay condoned.

After hearing Mr. M.P. Jha, learned counsel

for the

petitioners, we find that the petitioners have complied with the  
ultimate direction of the Division Bench of the High Court as found  
in paragraph 44 of the impugned judgment. The details of which have  
been set out in page 'I' of the special leave petition paper book.

Signature Not Verified

The net amount stated to have been paid to the

private

Digitally signed by

Narendra Prasad

respondent

Date: 2015.01.15

14:52:56 IST

was Rs.9,91,802/- after the statutory ded

uctions.

Reason:

However,  
with the

admittedly, the petitioners did not comply

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directions contained in paragraph 39 of the judgment, wherein the  
Division Bench has directed as under:-

"39. Hence, the writ petitioner would be entitled to payment of full salary up to 19.8.1998 and we direct the appellant Corporation accordingly to pay the same expeditiously and not later than three months from the date of receipt of a copy of the order, failing which the appellant Corporation shall be liable to pay interest @ 9% pendente lite."

The only stand of the petitioners was that the contesting private respondent was paid subsistence allowance from 01.05.1996 to 31.07.1998. If that be so, the compliance of the directions contained in paragraph 39 would be for the petitioners to pay the balance of the salary payable to the private respondent from 01.05.1996 to 19.08.1998. Such payment shall be made by the petitioners to the private respondent within four weeks from today along with the interest @ 9% for a period of five months i.e. from August, 2014 to December, 2014.

With the above observations and directions, the special leave petition stands disposed of.

(NARENDRA PRASAD)  
COURT MASTER

(SHARDA KAPOOR)  
COURT MASTER