

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19913 of 2014**

=====

Gyan Chand Yadava, son of Late Motilal Yadav. resident of Village and P.O. Phulparas, P.S. Phulparas, District- Madhubani, at present residing at Mohalla Kanhaiya Mishra Pokher (West), P.O. Laheriasarai P.S. Laheriasarai, District Darbhanga

.... .... Petitioner

Versus

1. The State of Bihar, through its Chief Secretary, Bihar, Patna
2. The Principal Secretary, Road Construction Department, Bihar, Patna
3. The Deputy Secretary, Road Construction Department, Bihar, Patna
4. The Secretary, Personal Grievance Redressal Cell, Finance Department, Old Secretariat, Bihar, Patna
5. The Secretary, Finance Department, Group Beema Prashakha, Bihar, Patna- 800015
6. The Additional Secretary, Personnel Grievance Redressal Cell, Finance Department, Old Secretariat, Bihar, Patna
7. The Deputy Development Commissioner, Siwan
8. The Treasury Officer, Darbhanga
9. The Executive Engineer Sthaniya Kshetra Abhiyantran Sangathan, Karya Pramandal No. 01, Siwan
10. The Accountant General of Bihar, Birchand Patel Path, Near R' Block, Patna

.... .... Respondents

=====

**Appearance :**

For the Petitioner/s : Mr. Kaushalesh Choudhary, Adv.

For the Respondent/s : Mr. AC to SC-25

=====

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

5      05-02-2016                      Heard Sri Kaushalesh Choudhary, learned counsel for the petitioner, learned AC to SC-25 as well as Sri Satyendra Kumar Jha, learned counsel for the Respondent/ Accountant General, Bihar.

The petitioner, who retired as Assistant Engineer with effect from 31.08.2007, had filed the present writ petition raising his grievance for retiral dues in the month of November, 2014.

However, during pendency of the writ petition, all the grievances of the petitioner have already been redressed, even the total amount has been credited to the account of the petitioner and now the petitioner is getting pension regularly.

Now the grievance is being raised for directing the Respondents to pay interest in view of belated clearance of the retiral dues, whereas learned counsel for the State, by way referring to the averments made in the counter affidavit, submits that the delay has occurred due to laches on the part of the petitioner and he himself had delayed in submission of pension paper. Due to the said reason, it was not settled earlier. He further submits that the petitioner has not adjusted the amount due to non-completion of work, which has been taken as advance for completion of work under different projects.

Learned counsel for the petitioner submits that in respect of such dispute, the petitioner has filed a separate writ petition, which is still pending before this Court. He claimed that at least on the date, he had submitted pension paper i.e. 21.03.2013, the petitioner is entitled to get interest till the date of crediting all the retiral dues to the account of the petitioner.

Normally in such case, it was necessary to pass an order for payment of interest, but keeping in view the fact that

after about seven years from the date of retirement, the petitioner approached this Court, the Court is of the opinion that such claim may not be entertained, particularly in view of the fact that the dispute in relation to retiral dues has already been settled.

The writ petition stands disposed of.

**(Rakesh Kumar, J)**

NKS/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|