

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3707 of 2015**

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Baleshwar Sharma, son of Late Tribhuwan Singh, resident of Mauriya Vihar, Road No. 3, Khagaul, P.S. - Phulwarisharif, District - Patna.

.... .... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Human Resources Development Department, Government of Bihar, Patna.
2. The Director (Administration)-cum-Joint Secretary, Primary Education of Human Resources Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Saran at Chapra.
4. The District Superintendent of Education, Saran at Chapra.
5. The District Education Officer, Saran at Chapra.
6. The Accountant General, Bihar, Patna

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Rajendra Sharma, Advocate  
For the State : Mr. Shankar Kumar Thakur, AC to G.P. 27

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA**  
**ORAL ORDER**

3      16-09-2016      Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has filed the writ application only for the payment of admissible interest at the rate of 18% on the amount of gratuity and leave encashment.

Learned counsel for the petitioner is unable to show any statutory provision under which said interest is to be paid.

In the above circumstances, this Court is of the view that this is not a proper proceeding for claiming any interest of the post retiral dues for which no statutory provision is prescribed.

In the aforesaid view of the matter, the writ application is dismissed.

**(Ramesh Kumar Datta, J)**

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