

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1065 of 2014
IN
Civil Writ Jurisdiction Case No. 13430 of 2005**

- =====
1. Bihar State Housing Board, 6, Mangles Road, Patna through its Managing Director
 2. Managing Director cum Joint Secretary, Bihar State Housing Board, 6, Mangles Road, Patna.
 3. The Estate Officer, Bihar State Housing Board, 6, Mangles Road, Patna.
 4. The Executive Engineer, Bihar State Housing Board, Division - 2, Patna.

.... Appellant/s

Versus

1. Bangali Ram son of Late Ram Prasad Ram resident of Village Chameli, P.S. Sikraul, District Bhojpur, New District Buxar at present resident of Postal Park, Indira Nagar, Road No. 2, P.S. Jakkanpur, Patna, District Patna.
2. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr R.S.Pradhan, Sr. Advocate
Mr. Pankaj Maijorwar
For the Respondent/s : Mr. S.A.Nasar Warsi
Mr Brij Nandan Prasad

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 10-04-2017

Heard learned senior counsel for the Housing Board and
counsel for the private respondent.

Since a similar order granting 12% interest to be
calculated at quarterly rest had not been interfered with by a Division
Bench in an earlier decision reported in 2011 (4) PLJR 219, the
submission of learned senior counsel that in terms of a new statutory
provision only 8% interest is required to be paid is unacceptable. The



legislation in question i.e. Digha Acquired Land Settlement Act, 2010, especially Section 4, will have a prospective effect since the same has been notified only in the year 2013. The present order under appeal was passed on 28.2.2012.

The appeal is dismissed for the above reason.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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AFR/NAFR	NAFR
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