

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.551 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 9211 of 2013**

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Vikash Kumar, son of Sri Rajendra Prasad Chaudhary, resident of Sahay Lane, Purabsarai Phanru, P.S. + P.O.- + Town + District- Munger, at present posted as Project Director (ATMA), Vikash Bhawan, Purnea

.... Appellant

Versus

1. The State of Bihar, through its Principal Secretary, Government of Bihar, Building Construction Department, Visheshwaraiya Bhawan, P.O. + P.S.- Sachivalaya, District- Patna.
2. Executive Officer, Garden Division, Building Construction Department, Secretariat, P.O. + P.S. - Secretariat, District- Patna
3. Ramesh Chandra Chaudhary, son of Late Deo Charan Chaudhary, resident of Punaichak, Police Station- Shastrinagar, District- Patna.

.... Respondents

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Appearance:

For the Appellant/s : Mr. Umesh Prasad, Advocate.
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 14-07-2017

The only indulgence that this Court is willing to give to the appellant with regard to order dated 19.09.2014 passed in the Writ Application where he was not made a party is that he is given leeway and liberty to offer his explanation to the authority in case an exercise is done to recover 9% of the interest which have been granted by the learned Single Judge for non-payment of a sum of Rs. 87,063/-.

If the authorities are satisfied with his explanation and the *bona fide* thereof then the order of the learned Single Judge to



recover interest component from the present appellant may not be enforced.

Appeal stands disposed of in terms of the above observations.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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