

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No. 269 of 2016**

**Arising out of**

**Civil Writ Jurisdiction Case No. 16626 of 2008**

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Md. Salahuddin S/o Late Md. Umed Resident of Mohalla Karan Sarai, P.S.-  
Sasaram, District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Shree Rajnish Kumar Mahajan, the Secretary cum- Commissioner, Department of Human Resources, Secretariat, Patna.
3. Shree Ram Bhuj Hawan Chaudhary, the Director, Primary and Secondary Education, Government of Bihar, Patna.
4. Avinash Kumar Prasad, the District Magistrate, Sasaram, Rohtas.
5. Shree Ashok Kumar Singh, the District Superintendent of Education Officer, Sasaram, Rohtas.
6. Sahela Praween, the Head Mistress, Primary under Primary School Karan Sarai, Sasaram.
7. Sanjay Kumar, the Accountant General, Government of Bihar, Patna.
8. Ravindra Nath Dubey, the Branch Manager Central Bank of India, Sasaram, Rohtas.
9. Shree Kamal Kishore Pandey, the Treasury Officer, Sasaram, District- Rohtas.

.... .... Opposite Party/s

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**Appearance :**

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|----------------------------------------|---|--------------------------------|
| For the Petitioner/s                   | : | Mr.                            |
| For the Opposite Party No. 8           | : | Mr. Ajay Kumar Sinha, Advocate |
| For the Opposite Party No. 1 to 7 & 9: | : | Mr. Abbas Haider, S.C. 6       |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date: 29-03-2017**

Nobody appears on behalf of the petitioner.

2. Pursuant to order dated 01.03.2017, the opposite parties no. 8 and 9 are present in Court and have also filed their show cause.

3. In the show cause filed today, the categorical stand is that an amount of Rs. 2,89,027/- has been credited in the account of the petitioner being the arrears of Dearness Allowance on 30.06.2016



and thereafter Rs. 1,34,482/- has been credited in his account as interest for delayed payment on 21.03.2017.

4. In view of such payments being credited into the account of the petitioner, the order passed in C.W.J.C. No. 16626 of 2008 dated 03.08.2015 appears to have been complied with, though belatedly, inasmuch as, the payment had to be made within one week whereas it has been made only this month.

5. However, in view of the fact that up-to-date interest till the date of payment i.e., March, 2017, having been made, the Court is not inclined to initiate any proceeding for such delayed compliance as the petitioner has been compensated by way of interest.

6. In view of the fact that nobody is representing the petitioner and also taking into account the statement made on oath by the respondents no. 8 and 9, which this Court has no reason to disbelieve, the application stands disposed off.

7. The personal appearance of the opposite parties no. 8 and 9 stands dispensed with.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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