

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1682 of 2014
IN
Civil Writ Jurisdiction Case No. 12946 of 2007**

- =====
1. The State of Bihar through the Chief Secretary Government of Bihar, Old Secretariat, Patna
 2. The Secretary, Department of Finance, Government of Bihar, Old Secretariat, Patna
 3. The Secretary Department of Water Resources, Government of Bihar, Irrigation Bhawan, Patna
 4. The Chief Engineer Water Resources Department, Muzaffarpur
 5. The Superintendent Engineer, Tirhut Nahar Anchal, Muzaffarpur
 6. The Executive Engineer, Trihut Nahar Pramandal SARAIA, Muzaffarpur
 7. The Executive Engineer, Irrigation Division, Banmankhi, Purnea
 8. The Sub-Divisional Officer, Irrigation Sub - Divisional Officer, Irrigation Sub - Division, Dhamdaha, Purnea
 9. The Treasury Officer, Purnea
 10. The District Provident Fund Officer, Purnea

.... Appellant/s

Versus

1. Yashwant Kumar Sinha Son of Late Sukhdeo Prasad Sinha resident of village and P.O. Karharia, P.S. Bath, District - Bhagalpur
2. The Accountant General, Bihar, Birchand Patel Path, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashutosh Singh
For the Respondent/s : Mr.

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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: 15-05-2017

Heard learned counsel for the appellants.

Perused the order, dated 11.03.2014.

The private-respondent, who was the petitioner before the Learned Single Judge prayed for payment of the dues, which was not settled, despite the superannuation of the private-



respondent in the year 2005. The admitted dues came to be paid in the year 2009. No interest thereon was paid, despite delay, and, therefore, the Court directed payment of interest at the rate of 5 per cent, simple in nature.

In absence of any clear reason, which should indicate that the onus lay on the private-respondent for the delay, the Learned Single Judge committed no error by directing payment of interest at the rate of 5 per cent.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

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