

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.372 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 7902 of 2006

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1. Dilip Kumar Verma, S/o Late Sri U.P. Verma, Resident of D/1, Alakanand Apartment, North Shastri Nagar, P.S. Shastri Nagar, District Patna, Bihar.

.... Appellant

Versus

1. Bihar State Credit and Investment Corporation Limited, Patna through its Managing Director having its office of 1st Floor, Indira Bhawan, Boring Canal Road, Patna-800001.
2. The Managing Director, Bihar State Credit and Investment Corporation Limited, 1st Floor, Indira Bhawan, Boring Canal Road, Patna.
3. The Incharge Administration, Bihar State Credit and Investment Corporation Limited, Patna.
4. The Deputy Manager, Bihar State Credit and Investment Corporation Limited, Patna.
5. The Assistant Manager, Bihar State Credit and Investment Corporation Limited, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : None

For the Respondent/s : Mr. Nirmal Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 10-01-2017

The challenge in the present Letters Patent Appeal is to an order dated 10.05.2011 passed by the learned Single Bench in C.W.J.C. No. 7902 of 2006 whereby, the writ application filed by the writ applicant was disposed of with the direction to the State to settle the claim of the appellant in respect of arrears of salary which shall be paid within a period of four months.

2. Aggrieved against the said order the writ applicant has filed the present Letters Patent Appeal.



3. None has entered appearance on behalf of the appellant when the appeal was called for on 15.12.2016. None is present even today.

4. The subsisting grievance of the appellant as per the memo of appeal is regarding payment of interest on the arrears of salary. We do not find any infirmity in the judgment under appeal passed by the learned Single Bench whereby the claim for payment of arrears of salary was ordered to be settled. The payment of interest is in the discretion of the Court. Since the Court has not exercised discretion in favour of the appellant, it cannot be said that the appellant is entitled to interest on the arrears of salary as a matter of right.

5. Consequently, we do not find any infirmity in the order passed by the learned Single Bench which may warrant interference in the present Letters Patent Appeal. The same is accordingly dismissed.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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