

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12806 of 2006

=====

Bishnu Kumar @ Bishnu Agrawal, S/o Sri Girdhari Lal Agrawal, R/o Bara Chakia, P.S.-Barachakia, District-East Champaran, at present Mohalla and P.S.-Chowk, in the Town and District of Patna.

... .. Petitioner/s

Versus

1. State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Secretary, Water Resources Deptt., Bihar, Patna.
3. The Chief Engineer, Water Resources Deptt., Motihari.
4. The Superintending Engineer, Tirhut Water Anchal, Motihari, East Champaran.
5. The Executive Engineer, Tirhut Nahar Pramandal, Barachakia, East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. O.P. Agrawal, Adv.
For the Respondent/s : Mr. GP-5

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 29-11-2018

The petitioner, whose house was taken on rent by the respondent No. 4 for storing cement, has prayed for payment of interest on the delayed payment of the monthly rental of the house in question.

2. The records reveal that the house of the petitioner was taken on rent on a monthly rental of Rs. 2,000/- for the purposes of storing cement. The aforesaid period of tenancy existed between 17.08.1982 to 29.02.1984. The rental for the same was paid by the respondents, but only in the year 2005 and that also on



persistent by the petitioner. A draft of Rs. 36,968/-, dated 10.03.2005, was paid towards the monthly rental of the house in question. The petitioner wants interest on the aforesaid payment.

3. The issue has become too stale for this Court to interfere and direct the respondents to pay interest on the aforesaid amount. The Court has also taken note of the fact that the monthly rental has been paid and that the respondent No. 4 has not used the premises for his personal use, but only for storing cement which was meant for Government construction.

4. There is no reason why, at this stage, after 13 years, the Court should direct for payment of any interest on delayed payment of monthly rental.

5. The petition has no merit and is, therefore, dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.11.2018
Transmission Date	N/A

