

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6785 of 2017

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Sakaldeo Prasad Singh, Son of Late Neem Sagar Singh, Resident of Ramnagari,
Sector - 3, P.S. - Rajivnagar, Raja Bazar, District & Township of Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Vice-Chancellor, Magadh University, Bodh Gaya.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Finance Officer, Magadh University, Bodh Gaya.
5. The Principal B.S. College Danapur, District - Patna.
6. The Principal, Ram Ratan Singh College, Mokama.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the University : Mr. Shivendra Kishore, Sr. Advocate
For the State : Mr. Rajesh Kumar Sinha, A.C. to G.P. 23

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 29-08-2018

Heard learned counsel for the petitioner; State and
Magadh University (hereinafter referred to as the 'University').

2. In view of the pleadings on record, it transpires that
the admitted dues of the petitioner have been paid. However with
regard to D.D.A., only the principal amount has been paid without
any interest in terms of the order of the Court in the case of **Prof.**



Surendra Bahadur Singh v. State of Bihar reported as **2006(4) PLJR 369**.

3. With regard to Earned Leave, learned counsel for the petitioner submitted that though the entire amount had been calculated in the year 2015 itself, but payments have been made after more than two years. He, thus, submitted that the Court may grant interest on the same.

4. With regard to interest on D.D.A., learned counsel for the University does not dispute the fact that as per the order of the Court, the same is required to be paid. With regard to delayed payment of Earned Leave, learned counsel submitted that there is no specific instructions from the University.

5. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the University to make payment of interest on D.D.A. in terms of the aforesaid order in the case of **Prof. Surendra Bahadur Singh** (supra). Further, in view of the decision of the Hon'ble Supreme Court in the case of **D.D. Tewari v. Uttar Haryana Bijli Vitran Nigam Ltd.** reported as **(2014) 8 SCC 894**, the Court finds that the petitioner is entitled to interest on the delayed payment of Earned Leave at the rate of 9%. The payments aforesaid shall be made for the period the same became due till actual payment was made, within four weeks from



the date of production of a copy of this order before the Registrar of the University.

(Ahsanuddin Amanullah, J.)

P. Kumar

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