

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.209 of 2017

In

Civil Writ Jurisdiction Case No.6912 of 2015

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1. The State of Bihar.
 2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
 3. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna.
 4. The Secretary, Minor Irrigation Department, Government of Bihar, Patna.
 5. The Deputy Secretary, Minor Irrigation, Government of Bihar, Patna.

.. ... Appellants

Versus

1. Santosh Kumar Son of Late Ram Chandra Prasad Resident of Mohalla - Marufganj, Police Station - Malsalami, District - Patna.
2. The Accountant General, Bihar, Patna

... ... Respondents

Appearance :

For the Appellant/s : Mr. Mritunjay Kumar

For the Respondent/s : Mr. L.P.K.Rajgrihar

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 22-06-2018

Heard counsel for the State. Perused the impugned order dated 20.08.2016.

The grievance of the State is against the direction of the learned single Judge for payment of admissible interest due to delay in settlement of post retiral dues of the private respondent.

The factual position has been taken note of by the learned single Judge that despite the private respondent having superannuated in the year 2013, for more than 2-3 years his



pension and other retiral dues were not being settled. From a reading of the impugned order there is no justification emerging on behalf of the State as to why such rightful entitlement of the private respondent was not sanctioned and paid.

If there was no justification for delay on the part of the State, the direction for payment of interest, therefore, cannot be said to be erroneous.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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