

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1723 of 2018

In
Letters Patent Appeal No.1569 of 2013

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Mithila Bihari Sharan S/o Late Badehi Sharan, resident of Shahid Bhagat
Singh Lane, Rajendra Nagar Town, P.S. Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sri Arbind Kumar Chaudhary, son of name not known to the petitioner, The
Secretary, Rural Development Department, Govt. of Bihar, Vikash Bhawan,
New Secretariat, Patna.
3. Sri Kaushal Kumar, son of name not known to the petitioner, The District
Rural Development Agency through its Chairman cum- District Magistrate,
Nawada
4. Sri S.M. Kaishar Sultan, son of name not known to the petitioner, The
Deputy Development Commissioner cum Chief Executive Officer, D.R.D.A.
Nawada, District- Nawada.
5. Sri Kuldeep Narayan, son of name not known to the petitioner, Managing
Director, Bihar Panchayati Raj, Finance Corporation, Vikash Bhawan, New
Secretariat, Patna.
6. Sri Nilotpall Goswami, son of name not known to the petitioner, Accountant
General, Bihar, Patna, Birchand Patel Marg, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha No.3
For the Opposite Party/s : Mr.Anjani Kumar - Aag 4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER



(Per: HONOURABLE THE CHIEF JUSTICE)

7 25-11-2019 Operative portion of the judgement dated 8.3.2018,
passed in L.P.A. No.1569 of 2013 (Mithila Bihari Sharan Vs.
The State of Bihar & Ors.) reads as under:

“Accordingly, we allow this appeal in part
and direct that the amount of Rs. 1,45,433/- along with
interest at the bank rate be now paid to the petitioner
within a period of 30 days from the date of receipt of
certified copy of this order.”

Seeking reliance upon the decision rendered by
the learned Single Judge of this Court in the case of Mostt.
Rukmini Devi Vs. The State of Bihar & Ors., reported in
1996(2) P.L.J.R. 348, learned counsel with vehemence argues
that the respondents ought to have released the amount so
directed by this Court along with interest on compoundable
rates.

We are not inclined to accept such submission for
two reasons- (a) the directions issued in Mostt. Rukmini Devi’s
case (supra) is general in nature.

(b) From the operative portion reproduced above,
in the instant case, we find the Court itself to have quantified
not only the amount, but also the manner in which interest was
to be paid.



The direction is clear. Interest has to be paid as per “bank rate” which, undisputedly stands released to the petitioner along with the principal amount, as is so stated by Shri Anjani Kumar, learned Additional Advocate General, which fact is not disputed.

As such, the present application is disposed of.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

K.C.Jha/-

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