

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1889 of 2022**

Dr. Ashok Kumar Singh S/o Late Shyam Prasad Singh, R/o Pathak Toli, P.S.  
and District - Jehanabad, Pin Code - 804408.

... .. Petitioner/s

Versus

1. The Magadh University Bodh Gaya, Dist. - Gaya through its Registrar.
2. The Vice-Chancellor, Magadh University, Bodh Gaya.
3. The Finance Officer, Magadh University, Bodh Gaya.
4. The State of Bihar, through the Principal Secretary, Department of Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna.
5. The Director, Higher Education, Govt. of Bihar, New Secretariat, Patna.
6. The Treasury Officer, Gaya.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                 |
|----------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Purushottam Kumar Jha<br>Mr. Avanindra Kumar Jha, Advocates |
| For the Respondent/s | : | Smt. Binita Singh (SC28)                                        |
| For the University   | : |                                                                 |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      25-04-2024                      Heard learned counsel for the petitioner, learned  
counsel for the State and learned counsel for the University.

2. Learned counsel for the University submits that the  
grievances of the petitioner have already been redressed.

3. While learned counsel for the petitioner submits  
that though the petitioner has received his arrears of salary but  
after a long gap of more than two years. Therefore, the  
petitioner is entitled to be paid interest upon the same.

4. In support of this submissions, learned counsel for  
the petitioner places his reliance upon the judgment of Hon'ble



Apex Court passed in ***Civil Appeal No. 689 of 2000 (Vijay L. Mahrotra v. State of UP & Ors.)*** wherein *vide* paragraph-4, it has been held as follows:-

*“in this case, there is absolutely no reason or justification for not making the payments for months together. We, therefore, direct the respondent to pay to the appellant within 12 weeks from today simple interest at the rate of 18 per cent with effect from the date of her retirement, i.e., 31.08.1997 till the date of payments”.*

5. On the basis of the aforesaid judgment of the Hon'ble Apex Court, learned counsel for the petitioner submits that the petitioner is also entitled to be paid interest on the arrears of his salary received by him.

6. Learned counsel appearing for the University fairly submits that there was delay in making payment of arrears of salary to the petitioner but that happened because the name of the petitioner was wrongly mentioned as Sri Ashok Kumar Sinha instead of “Sri Ashok Kumar Singh”.

7. Learned counsel for the petitioner submits that *vide Annexure-14*, the State had sent the name and claim of the petitioner to the Accountant General Office and his name was wrongly mentioned as Sri Ashok Kumar Sinha in place of “Sri Ashok Kumar Singh” . Thereafter, he represented before the concerned authorities to get his name corrected. Then after more



than two years the name of the petitioner was corrected and the payment was made to the petitioner.

8. Learned counsel appearing for the State submits that the petitioner himself filed the representation after about 13 months and thereafter his name got corrected.

9. Considering the aforesaid facts and circumstances and the observation made by the Hon’ble Apex Court in *Civil Appeal No. 689 of 2000 (Vijay L. Mahrotra v. State of UP & Ors.*, this Court directs the concerned authorities to pay the interest @ 6% *per annum* to the petitioner on the payment which has already been made to him.

10. With the aforesaid observation and direction, this petition stands disposed of.

(Anjani Kumar Sharan, J)

perwez

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

