

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12983 of 2022

=====

Uday Kumar Son of Late Ramdeo Prasad Resident of Mohalla-Ghughritand,
Police Station-Chand Chauraha, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Cum Secretary, Science and Technology, Department, Government of Bihar, Patna.
2. The Director Science and Technology, Department, Government of Bihar, Patna.
3. The Principal, Government Polytechnic College, Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Verma, Advocate
For the Respondent/s : Mr. Kumar Alok (Sc7)

=====

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 14-08-2024

Heard learned counsel for the parties.

2. The petitioner, who is son of late Ram Deo Prasad, who died on 23.04.2003 while working as Dresser-cum-Compunder at Government Polytechnic College, Gaya, has filed this writ petition seeking a direction to the respondent authorities to pay salary of his late father from July, 1992 to 22.04.2003.

3. The respondent Nos. 1 to 3 have filed a counter affidavit, wherein, it has been contended that this writ petition has been filed after a long gap of 20 years from the death of the petitioner's father and accordingly, it would require at least 8 (eight) weeks' time to verify the entire record of the petitioner's father.



4. The petitioner has filed a reply affidavit to the counter affidavit filed by the respondent Nos. 1 to 3, wherein, it has been stated that respondents have paid the arrears of salary of the petitioner's father from 01.07.1992 to 22.04.2003 in the name of the petitioner (Uday Kumar) on 23.03.2024. The arrears of salary, that has been paid, is Rs. 6,71,715/-.

5. The petitioner is now praying for interest on the aforesaid amount for late payment of the salary of the petitioner's father.

6. Though, the rejoinder affidavit by the petitioner stating that the arrears of salary of the petitioner's father has been paid, was filed on 06.08.2024, the State has not filed a reply to the rejoinder. The learned State Counsel, however, submits that if the petitioner has been paid the arrears of salary of the petitioner's father, he may file a representation to the respondent authorities for payment of interest on delayed payment of the salary of the petitioner's father.

6. In the light of the fact that the arrears of salary of the petitioner's father from 01.07.1992 to 22.04.2003 amounting to Rs. 6,71,715/- has been paid in the name of the petitioner on 23.03.2024, as indicated in the rejoinder affidavit of the petitioner and in view of the fact that no reply to the rejoinder affidavit has



been filed by the State, explaining the reason for inordinate delay in payment of the arrears of salary of the petitioner’s father, this writ petition is hereby disposed of with a direction to the respondents that if the arrear salary of the petitioner’s father has been paid as indicated hereinabove, the respondents shall pay an interest at the rate of 6% per annum from the date the salary of the petitioner’s father was due till the date of the payment made by the respondents.

8. The writ petition is disposed of with above direction.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.08.2024
Transmission Date	NA

