

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12940 of 2023

Dr. Ramendra Pratap Singh son of Late Kameshwar Prasad Singh, resident of Mohallah- Simli Murarpur, Police Station - Malsalami, Post Office - Patna City, District - Patna, 800008.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Additional Director, Health Services, Health Department, Government of Bihar, Patna.
3. The Civil Surgeon cum Chief Medical Officer, Nalanda.
4. The Civil Surgeon cum Chief Medical Officer, Patna.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate
For the Respondent/s : Mr. Nagendra Pd. Yadav (SC-23)
For the Accountant General : Mr. Binod Kumar Labh, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 27-06-2024 Heard learned advocate on behalf of the petitioner and learned advocate on behalf of the State as well as learned advocate on behalf of the Accountant General.

2. The petitioner was a Medical Officer attached to the Health Department, Government of Bihar, he has superannuated. Sometimes, in the year 2016, the wife of the petitioner was suffering from renal failure. Ultimately, it was detected that she required transplantation of Kidney. Transplantation was done and thereafter, the petitioner submitted a medical bill for reimbursement amounting to Rs.8,91,402/-. The medical bill was examined by the



Superintendent, Nalanda Medical College and Hospital and he passed an order for reimbursement of the said amount. Subsequently, it was examined by the concerned Officer attached to the Health Department and the Health Department finally found that the petitioner is entitled to reimbursement of Rs.7,71,765/-.

3. It is submitted by the learned advocate for the petitioner that rest amount was held to be not reimbursable. Now, the petitioner has approached this Court under Article 226 of the Constitution of India claiming interest at the rate of 12% on Rs.7,71,602/- because the said amount was paid after a lapsed of about five years of incurring expenditure by the petitioner.

4. I am afraid that no interest accrues on any delayed or arrear payment payable by the Government as salary or perquisite to its employee. The petitioner is not entitled to get any interest on reimbursed amount of Rs.7,71,602/-.

5. As a result, the instant writ petition is absolutely misconceived and the same is dismissed.

(Bibek Chaudhuri, J)

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