

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17621 of 2022

Vincent Augustine Louis S/o- Late Augustine Louis retired Vice Principal
T.K. Ghosh Academy, Government High School, Chauhatta, Patna- 800004,
presently residing at C/o- Prabhat Das Gate No. 88 Makhumpur, Beside Sewa
Ashram, P.O.- Digha Ghat, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education
Department, New Secretariat, Patna.
2. Additional Chief Secretary, Education Department, New Secretariat, Patna.
3. District Education Officer, Patna.
4. District Programme Officer (Establishment), Patna.
5. Principal T.K. Ghosh Academy, Government High School, Chauhatta, Patna-
800004.
6. Principal Accountant General (A and E) Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.N.P. Singh, Sr. Adv. Mr. Surendra Prasad Singh, Adv.
For the Respondent/s	:	Mr. Vivek Ananda Amritesh, AC to SC-28
For the AG, Bihar	:	Mr. Binod Kumar Labh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 02-01-2024 Heard Mr. S.N.P. Singh, learned senior counsel duly
assisted by Mr. Surendra Prasad Singh, learned counsel for the
petitioner, Mr. Vivek Ananda Amritesh, learned counsel for the
State and Mr. Binod Kumar Labh, learned counsel for the
Accountant General.

2. In deference to the order of this Court dated
12.12.2023, a counter affidavit has been filed by the respondents
no. 3 and 4.

3. Submission has been made on behalf of respondent



no.6 that the necessary authority letters have already been issued way back in the year 2022 itself.

4. Learned counsel for the State referring to the averments made in its counter affidavit submits that apart from the arrears of earned leave to the tune of Rs.55,380/- as has been paid to the petitioner on 12.12.2023, the petitioner has also been paid an amount of Rs. 14,04,742/- under the head of difference of salary after deduction of the income tax amount of Rs.2,80,948/-.

5. At this juncture, learned senior counsel vehemently submits that admittedly the petitioner superannuated way back in the year 2014 itself but without any justifiable reason, the petitioner has been deprived from his admissible payment for such a long period. He next submits that in any view of the matter, the petitioner is entitled to receive the interest over the delayed payment in view of the judgment rendered by the Division Bench of this Court in the case of **Jahanvi Shankar Verma Vs. The Chairman Bihar State Electricity Board & Ors., [2003 (1) PLJR 254]** and in the case of **The Vice Chancellor, Tilka Manjhi Bhagalpur University & Ors. Vs. Dr. Hari Shankar Prasad Singh & Another, [2015 (3) PLJR 191]**.



6. Considering the materials available on record and the submissions advanced on behalf of the parties, the present writ petition stands disposed of with a liberty to the petitioner to file a representation before respondent no.4, District Programme Officer (Establishment), Patna, for the interest over the delayed payment.

7. In case, such a representation is filed within a period of four weeks from today, the same shall be considered and disposed of by a reasoned and speaking order taking into consideration the mandates of the learned Division Bench of this Court in **Jahanvi Shankar Verma (supra)** and **The Vice Chancellor, Tilka Manjhi Bhagalpur University (supra)**.

(Harish Kumar, J)

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