

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8670 of 2016

=====

Ranjit Singh S/o Late Kailash Singh, Mohalla- Patel Nagar South of D.M.
Kothi, Biharsharif, P.S.- Laheri, District Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Deptt. of Food and Consumer Protection, Govt. of Bihar.
3. The Managing Director, Bihar State Food and Civil Supply Corporation Ltd. Under Govt. of Bihar, Dar
4. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Collectorate Compound, P.S
5. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., Nalanda at Biharsharif.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh
For the State	:	Mr. Tripurari Nath Ambastha, A.C. to SC-26
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 01-07-2025

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar State Food and Civil Supply Corporation Ltd. (hereinafter referred to as the 'BSFC'). Please improve the sentence.

2. The present writ petition has been filed seeking issuance of an appropriate writ in the nature of *mandamus*, directing the respondent authorities to make payment of arrears of revised salary arising due to time-bound promotion, along with statutory interest. The petitioner also seeks any other relief to which he may be entitled in the facts and circumstances of the



case.

3. Learned counsel for the petitioner submits that the petitioner was initially appointed to the post of Lower Division Clerk in the Bihar State Food and Civil Supplies Corporation, Nalanda at Biharsharif, on 19.08.1974. He joined service on 20.08.1974 and thereafter worked at various locations. Subsequently, he served on a sanctioned post of Clerk as a permanent employee of the Corporation. Pursuant to the Government of Bihar's decision dated 31.03.1997 to fill vacancies of Class-III employees in various District Consumer Forums under consumer protection programmes, the petitioner joined the post of Clerk in the office of the Chairman, District Consumer Forum, Sheikhpura, on 09.04.1997, and continued to work there without any complaint until his absorption on 31.08.2012. After absorption, the petitioner approached the respondent authority for his service dues. While posted as Clerk in the State Food Corporation, Gaya, he was promoted to the post of Upper Division Clerk with effect from 13.12.1986. In this regard, the Managing Director of the Bihar State Food and Civil Supplies Corporation Ltd. had issued a letter bearing Memo No. 8044 dated 31.08.1992.

4. Learned counsel for the BSFC submits that,



during the pendency of the present writ petition, the department has paid the entire arrears to the petitioner, amounting to approximately Rs. 99,000/-. He further submits that supplementary counter affidavit indicates that Rs. 10,000/- was deducted from the petitioner's gratuity as repayment of an advance, and interest was calculated at the rate of 18%. Emphasis has been placed on the calculation chart, which explicitly mentions that the interest rate applied was simple interest at 18%. Learned counsel for the BSFC confirms that in the Corporation, simple interest is charged at 18%, and it was on this basis that the petitioner was charged interest on the advance amount.

5. After hearing the parties, this Court finds that the case requires equitable consideration. On the one hand, the Corporation charged 18% interest (albeit simple interest) on an advance taken by the petitioner, while on the other hand, it did not pay any interest on the arrears of salary that were due to the petitioner as early as 1997 and were only disbursed in 2023. With a view to maintain equity, the BSFC is directed to pay the petitioner interest at the rate of 18% (which is treated as simple interest as per the Corporation) on the amount of Rs. 99,000/-, calculated from the year 2000 (i.e., after a lapse of three years



from 1997) up to the year 2023. The computation shall be done accordingly, and the amount shall be paid to the petitioner within a period of three months from the date of this order.

6. With the above direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	----/07/2025
Transmission Date	NA

