

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.675 of 2024
In
Civil Writ Jurisdiction Case No.15080 of 2023

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1. The State of Bihar through the Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
 2. The Deputy Secretary to the Government, Minor Water Resources Department, Government of Bihar, Patna.
 3. The District Magistrate, Begusarai.
 4. The Deputy Development Commissioner, Begusarai.
 5. The Block Development Officer, Begusarai Sadar, Begusarai.

... .. Appellant/s

Versus

Jagdish Sah Son of Late Ram Pratap Sah, Resident of Ward No. 22 Chatti Road, Miyachak, Begusarai, Bihar- 851101.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajit Kumar, GA- 9
For the Respondent/s	:	Mr. Nikhil Kumar Agrawal, Advocate
		Ms. Aditi Hansaria, Advocate
		Mr. Yash Sahay, Advocate
		Mr. Keshav Bhardwaj, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 16-05-2025

Re.: I.A. No. 02 of 2024

The learned Advocate for the appellants presses the aforesaid interlocutory application for condoning the delay of 95 days in preferring this appeal.

2. For the reasons stated in the application, the



delay of 95 days in preferring this appeal is, hereby, condoned.

3. I.A. No. 02 of 2024 stands allowed.

Re.: L.P.A. No. 675 of 2024

4. By the impugned order dated 01.03.2024, the admitted dues of the writ petitioner/respondent of Rs. 5,79,675.00/-, which fell due in the year 1991, was directed to be paid with 7% per annum simple interest on such amount.

5. Mr. Ajit Kumar, the learned GA- 9 has submitted that there is no difficulty with respect to payment of the admitted dues of the respondent and the contest is only to simple interest on that amount @ 7% per annum.

6. The objection of the State, with respect to grant of interest on the payment, is two fold: firstly, that the writ petitioner/respondent came to this Court for a direction only on 17.10.2023, i.e. after a delay of 32 years and secondly, that there is nothing in the rules governing such payment regarding interest on delayed payment.

7. On perusal of the facts of this case, we uphold the impugned order to the extent of the direction for



payment of the admitted dues of the writ petitioner, with a modification in the grant of interest on the same.

8. We direct that, in view of the judgment of the Supreme Court in *Union of India and Ors. vs. Tarsem Singh, (2008) 8 SCC 648*, 7% interest per annum shall be reckoned from three years before the date when the writ petitioner/respondent approached this Court on 17.10.2023.

9. With the afore-noted modification, the appeal stands disposed off.

10. Interlocutory application(s), if any, shall also stand closed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sauravkrsinha/
Sujit-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.05.2025
Transmission Date	NA

