

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.676 of 2024
In
Civil Writ Jurisdiction Case No.13520 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 Director, District Rural Development Agency, Begusarai.
 6. The Block Development Officer, Barauni, Begusarai.

... .. Appellant/s

Versus

Lalan Kumar Mishra Son of Bhuneshwar Mishra, resident of Bidupur Bazar,
Bidupur, Vaishali, Bihar - 844503.

... .. 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. 01 of 2024

The learned Advocate for the appellants presses
the aforesaid interlocutory application for condoning the
delay of 96 days in preferring this appeal.

2. For the reasons stated in the application, the



delay of 96 days in preferring this appeal is, hereby, condoned.

3. I.A. No. 01 of 2024 stands allowed.

Re. L.P.A. No. 676 of 2024 :

4. By the impugned order dated 01.03.2024, the admitted dues of the writ petitioner/respondent of Rs. 4,24,278.00/-, 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 16.09.2023, 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 16.09.2023.

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

