

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21415 of 2019

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Mahendra Narayan Pandey Son of Late Tophi Pandey, Resident of Village-
and P.O. Ghorbanki, P.S. and Block-Basopatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer, Madhubani, District-Madhubani.
5. The District Programme Officer (Establishment), Madhubani. District-Madhubani
6. Bihar Sanskrit Shiksha Board, Patna through the Secretary.
7. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
8. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
9. The Headmaster, Brahmarshi Prathmik Sah Madhya Sanskrit Vidyalaya Village-Pancharatna, P.O. Ghorbanki, Block-Basopatti, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Respondent/s : Mr. Subash Chandra Mishra, SC-16

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 07-04-2025 1. Heard learned counsel for the petitioner, learned AC

to SC-16 for the State and the learned counsel appearing on behalf

of the Bihar Sanskrit Shiksha Board, Md. Faiz Ahmad.

2. The learned counsel appearing on behalf of the
petitioner submits that the instant writ application has been filed
for a direction upon the authorities for payment of arrears of salary
of the petitioner for the period 01.01.1998 to 31.07.2002
amounting to Rs.1,91,626/-.

3. It is next submitted that petitioner retired as a
Teacher from Brahmarshi Prathmik Sah Madhya Sanskrit



Vidyalaya, Panchratna, Madhubani on 31.07.2002.

4. It is further submitted that the persons similarly situated like the petitioner were given their arrear salary in the year 2019 and when petitioner did not receive his arrear salary as recorded hereinabove, as such he filed the instant writ application in the year 2019. It is further submitted that the case was taken up on 20.03.2025, when a counter affidavit was filed on behalf of the Board where the Board admitted that petitioner is entitled for payment of his arrear salary as pleaded at Para-10 of the counter affidavit filed on behalf of the respondent nos. 7 and 8. It was also contended by the learned counsel appearing on behalf of the Board that the District Programme Officer, Madhubani is the authority competent for making the payment, as such this Court by an order dated 20.03.2025 had granted one week time to the authorities concerned of the State to ensure that arrear payment of the petitioner is made on or before 04.04.2025. It is next submitted that no doubt the arrear payment of the petitioner of an amount of Rs. 1,91,626/- has been paid, but then the interest on the delayed payment has not been made. It is further submitted that though petitioner retired in the year 2002 and was entitled for the said arrear salary before his retirement, but then the same came to be paid after 23 years. It is next submitted that even taking the stand of least resistance, then the amount of arrear ought to have been



paid to the petitioner in the year 2019 when persons similarly situated like petitioner were paid their arrear salary. It is further submitted that the arrear has been paid after a delay of more than seven year, as such, the petitioner is entitled for some interest at least at bank rate interest as pleaded in the writ application, on which the learned counsel appearing on behalf of the State submits that grievance of the petitioner, for the present, stands redressed and if the petitioner is interested in getting any interest over the delayed payment in accordance with law, the petitioner can represent before the authorities.

5. Having heard the learned counsel for the parties, the writ application is disposed of with liberty to the petitioner to file an appropriate representation before the authority concerned seeking interest for delayed payment.

6. It is made clear that if any representation is filed by the petitioner in that regard, the authority concerned shall consider and dispose of the same expeditiously and preferably within a period of three months thereafter in accordance with law.

(Satyavrat Verma, J)

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