

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1304 of 2023

In
Civil Writ Jurisdiction Case No.17024 of 2013

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Santosh Kumar Singh Son of Late Bireshwar Singh, Resident of Village -
Prabhunath Nagar (Tandi), P.S. - Chhapra Muffasil, District Saran at Chhapra.

... .. Appellant/s

Versus

1. The State of Bihar through the Transport Secretary, Government of Bihar,
Sultan Place, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, New Secretariat, Patna.
3. The Divisional Commissioner, Saran-cum-the Chairman Regional Transport
Authority, Saran at Chhapra.
4. The Collector-cum-District Magistrate, Saran at Chhapra.
5. The Deputy Development Commissioner, Saran at Chhapra.
6. The Joint Commissioner-Cum-Secretary Regional Transport Authority Saran
at Chhapra.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Sarvesh Kr. Singh (AAG 13)

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

Date : 04-02-2025

Heard learned Advocates on behalf of the parties.

2. The appellant participated in the bid and was
allotted the contract for collection of toll at Nagar Bus-stand
in Chapra. However, the Perwana under which he could
have started collecting toll was given to him after four
months. Finding that he had suffered losses because of the



delayed commencement of toll collecting process, he had approached the authorities for a proportionate refund from Rs. 50,00,251/-, the amount which was deposited by him way-back in the year 2007.

3. Under the orders of this Court, the proportionate refund of Rs. 15,55,090/- was allowed and paid to him on 21.03.2011 *i.e.* after almost about four years.

4. The claim of the appellant is that for that amount, interest also should have been paid. In order to buttress his contention he has referred to an order passed by this Court on 18.04.2012 permitting him the liberty to approach the competent authority for redressal of his grievances which was not specifically indicated towards seeking interest on the delayed payment.

5. Nonetheless, strengthened by the aforementioned liberty by this Court, the appellant had approached the authorities for grant of interest for four years on the



proportionate refund amount which was given to him in the year 2011, which stood rejected by a reasoned order.

6. We are absolutely satisfied that there was no direction to pay interest to him nor is it available to him to claim under any statute or rule in that regard.

7. The learned Single Judge was absolutely justified in holding that not much time was wasted in giving him the proportionate refund without even looking at the actual reasons for the delayed commencement of the work.

8. The appeal stands dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

krishna/bibhash

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