IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8633 of 2024

CNR No. BRHC010438572024

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Mahtab Alam Son of Late Sayyaid Alam @ Late Syed Mohammad Mansoor Alam @ Late Saiyad Md Mansoor Alam, Resident of Village- Kirtaul Kaidirchak, P.O.- Khizar Chak, P.S.- Teghra, District- Begusarai.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Deptt. of Human Resources, Govt. of Bihar, Patna.
2. The Principal Secretary,Finance Department, Bihar Secretariat, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The Accountant General, Bihar.
5. The District Superintendent of Education, Begusarai.
6. The Treasury Officer, Begusarai.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Murlidhar Mishra, Advocate. Mr. Shubhesh Pandey, Advocate.
For the State	:	Mr. Alok Kumar Shahi, GA-7. Ms. Swarna Roy, AC to GA-7.
For AG Bihar	:	Ms. Ritika Rani, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

6 20-11-2026 Heard learned counsel for the parties.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner is aggrieved for non-payment of interest on account of delay in making payment of the retiral dues under different heads. Learned counsel further informs that he has already filed a representation before the District Education Officer, Begusarai, however the District Education Officer has not considered the claim of the petitioner

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or has passed any order rejecting his claim.

3. It is made clear that for delay in making payment of pensionary benefits under different heads, the Hon'ble Supreme Court has deprecated such action of the authority concerned and has allowed interest in the case of ***State of Kerala v. M. Padmanabhan Nair,*** reported in ***(1985) 1 SCC 429*** and ***D.D. Tewari v. Uttar Haryana Bijli.*** *reported in* ***(2014) 8 SCC 894.***

4. Considering that the petitioner has been harassed, the District Education Officer, Begusarai is directed to consider the case of the petitioner for making payment of interest on account of delay to be counted from due date when the petitioner was required to be paid, in light of the law laid down by the Hon'ble Supreme Court well within a period of three weeks without any further delay.

5. In case of failure, the petitioner is at liberty to take appropriate legal action against the District Education Officer, Begusarai.

6. Let a copy of this order be communicated to the Additional Chief Secretary, Education Department, Government of Bihar for taking necessary action against the District Education Officer, Begusarai, who has kept the application of the petitioner pending since 22.07.2024 which has been brought

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on record by way of Annexure P/4.

7. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

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