

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5506 of 2014

=====

Rajendra Prasad Son of Late Ramkrishna Prasad Resident of Village - Diripar,
P.O - Makrauta, P.S.- Karay Parsuray, District - Nalanda

.... Petitioner

Versus

1. The State of Bihar through The Secretary Cum Commissioner, Human Resources
Development Department, Bihar, Patna

2. The Director, Secondary Education, Bihar, Patna

3. The Special Director, Secondary Education, Bihar, Patna

4. The Bihar State Sanskrit Shiksha Board, Through Its Secretary, Patna

5. The Chairman, Bihar State Sanskrit Shiksha Board, Patna

6. The Secretary, Bihar State Sanskrit Shiksha Board, Patna

7. The District Education Officer, Biharsharif, Nalanda

8. The District Superintendent of Education Cum District Program Coordinator,
Serve Shiksha Abhiyan , Biharsharif, Nalanda.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Sheel Bhadra Jha, Advocate
For the State : Mr. Rajesh Kumar AC to GP 28
For the Board : Mr. S.S. Sundaram, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-12-2015

Learned counsel for the parties are present.

Pursuant to order dated 18.12.2015, the Joint Secretary,

Education Department, Government of Bihar as well as the present



and the then District Education Officers, Nalanda are present. An affidavit has been filed on behalf of the Joint Secretary, Education Department, supplementary show cause has been filed on behalf of the then District Programme Officer, (Establishment), Nalanda and supplementary show cause as well as supplementary counter affidavit has been filed on behalf of respondent no. 7.

It has been stated in the affidavit by the Joint Secretary, Education Department that he has issued show cause to the District Education Officer, Nalanda and the District Programme Officer, (Establishment), Nalanda to explain as to under what circumstances the arrear of D.A. of the petitioner have not been paid till date.

In view of the apology tendered by the then District Programme Officer (Establishment), Nalanda as well as District Education Officer, Nalanda, the Court does not want to proceed against them any further and the matter stands consigned. However they are cautioned to be careful in future. The direction to pay cost of Rs. 5,000/- from the personal pocket of the present District Education Officer, Nalanda as per the order dated 18.12.2015, stands recalled.

In view of the fact that the dues relates to 1981-87 and are being sought to be paid only in the end of 2015, in the opinion of the Court, the petitioner is entitled to payment of interest. Accordingly, let the payment be made with 6% simple interest which

shall be paid to the petitioner within two weeks from today by the District Education Officer, Nalanda who is present in Court as well as the District Programme Officer (Establishment), Nalanda.

The writ application stands disposed off in the aforementioned terms.

The personal appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J)

Ranjan/-

U			
---	--	--	--