

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15953 of 2015

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Kumari Basundhra Rani wife of Suresh Prasad Singh, resident of Mokama Moldir
Tola, Pipar Tar, Police Station- Mokama, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Finance Department,
Government of Bihar, Patna.
2. The District Education Officer, Patna.
3. The District Superintendent of Education, Patna, District, Patna.
4. The District Karyakram Officer, Establishment Sarva Siksha Abhiyan, Patna.
5. The Block Education Officer, Mokama, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate
For the Respondent/s : Mr. Sunil Kumar Mandal, S.C.-3
: Mr. Arjun Prasad, A.C. to S.C.-3

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 20-12-2016

It is submitted by the learned counsel for the petitioner that during pendency of the writ petition save and except amount of gratuity, all other post retiral dues have been paid to the petitioner.

2. The petitioner was appointed as an Assistant teacher on 9.9.1974. She retired on attaining the age of superannuation on 31.1.2014. At the time of retirement, she was posted at Utkarmik Madhya Vidyalaya Panchmahla, Mokama, Patna.



3. It is submitted by the learned counsel for the petitioner that while the petitioner was in service neither any disciplinary proceeding was initiated nor any criminal case was instituted against her. Even after retirement, no proceeding has been initiated against her under the provisions of Bihar Pension Rules, 1950, but still the respondents have arbitrarily withheld the amount of gratuity of the petitioner.

4. On the other hand, learned counsel for the State has submitted that since the authority slip of monthly pension and gratuity has already been issued by the Accountant General, Bihar, Patna on 29th January, 2014, if the amount of gratuity has not been paid to the petitioner, the same would certainly be paid to her without delay.

5. Considering the submissions made on behalf of the parties, the respondents no.2 to 5 are directed to pay the amount of gratuity to the petitioner within four weeks from today failing which the admissible amount of gratuity would earn interest at the rate of eight per cent from the date it became due till the date of actual payment.

6. Mr. Sunil Kumar Mandal, learned Standing Counsel No.3 undertakes that he would communicate the order to the respondents forthwith.

7. Let a copy of the order be handed over to the learned



Standing Counsel No.3.

8. With the aforesaid observation and direction, the writ petition is allowed, but there shall be no order as to costs.

(Ashwani Kumar Singh, J)

Md.S./-

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