

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6203 of 2014

=====

Siya Sharan Mandal Son Of Sri Pitamber Mandal Resident Of Village-
Birpur, P.S.- Madhepur, District- Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Department Of Human Resources Govt. Of Bihar, Patna
3. The District Magistrate, Madhubani
4. The District Education Officer, Madhubani
5. The District Programme Officer (Establishment), Madhubani, District-
Madhubani
6. The General Provident Fund Officer, Madhubani, District- Madhubani

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit
For the Respondent/s : Mr. Nirbhay K.Singh

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 30-01-2016 Heard Mr. Jha for the petitioner and the State.

With the consent of the parties the writ application
is being disposed of at this stage.

The writ application has been filed claiming GPF
amount for the period 01.04.1964 to 30.11.1976 with
interest. The petitioner superannuated as Assistant
Teacher of the Government Primary School with effect
from 31.01.2004. There is no averment in the writ petition
that the other dues including the GPF were authorized or
not. However, a prayer has been made for payment of
GPF dues only with interest of the aforesaid period. It is

stated that a representation has been filed in this regard before the District Superintendent of Education which hitherto remained unnoticed.

Mr. Jha, on the other hand, submits that from the pleadings it does not appear from the very beginning the petitioner was in the government primary school. He probably served in non government school which was taken over by the Nationalization of School Act notified in 1976. He also submits that various writ petitions raising similar grievance(s) have been disposed of permitting the petitioner to raise a grievance in this regard before the District Programme Officer. If the petitioner was serving in the non government primary school and has subscribed to GPF he may be entitled to payment thereof.

Considering the rival submissions of the parties and on perusal of the materials on record, I am satisfied that the present writ application deserves to be disposed of permitting the petitioner to file a fresh representation before the District Superintendent of Education, Madhubani along with all the relevant documents within 04 weeks together with a copy of the present order whereafter the said respondent shall examine the

grievance(s) of the petitioner and take appropriate decision and/or pass appropriate order in accordance with law, as quickly as possible, preferably within 02 months of such filing of representation.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--