

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23110 of 2011

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Shanti Devi W/O Sri Rajeev Lochan , resident of village Makranta, P.S. Karay
Parsurai, Distt. Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director (Secondary Education) Bihar ,Budh Marg, Patna
3. The Regional Deputy Director Of Education, Patna Division, Patna
4. The District Education Officer, Nalanda At Biharsharif
5. Head Master, Bapu High School Chandi, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Respondent/s : AC to A.A.G. No. 6

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL JUDGMENT

Date: 23-05-2017

1. Heard Sri Dhananjay Kumar Pandey, learned counsel for
the petitioner and learned AC to A.A.G. No. 6.

2. The present writ petition was filed in the month of
December, 2011 with a prayer to direct the respondents to refund Rs.
26319 /-, which was recovered as house rent, from the petitioner after
her superannuation. It has been stated in the petition that petitioner
retired in the month of February, 2010. After retirement her retiral
dues was not given on the ground of non- issuance of no dues
certificate and it was claimed that house rent to the tune of Rs.
26319/- was due against the petitioner. In the writ petition a specific
stand has been taken that while she was posted in Dhanshwari Kanya



Uchch Vidyalaya , Chandi in between 2003 and 2006 she never stayed in Government quarter and as such, no house rent was deducted from her salary. Learned counsel for the petitioner submits that since against one of her transfer order, the petitioner had approached this court and filed a writ petition and a Bench of this court had quashed the order of transfer , maliciously after retirement petitioner was constrained to deposit Rs. 26319/- as house rent. Learned counsel for the petitioner submits that though the said amount was deposited under pressure , only with a view to get retiral dues, the petitioner thereafter filed representation before the In-charge Principal of the School from where she retired i.e. Bapu Uchch Vidyalaya, Chandi for refund of the said amount but on her representation no decision has been taken till date.

3. After some argument, learned counsel for the petitioner in presence of learned AC to A.A.G. No. 6 makes a prayer for disposal of the present writ petition granting liberty to her to file fresh representation regarding claim made in the present petition.

4. In view of the submission made by learned counsel for the petitioner as well as the fact that despite the writ petition was filed in the year 2011, no counter affidavit has been filed till date, the court proposes to dispose of the writ petition granting liberty to the petitioner to represent before the authority concerned.



5. It goes without saying that if within a period of eight weeks from today the petitioner files fresh representation before the authority concerned, the authority concerned without being prejudiced with this order may examine the same and pass appropriate order in accordance with law preferably within a period of three months from the date of filing of such representation.

6. The writ petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25 -05-2017
Transmission Date	NA

