

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 20208 of 2016

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Lakhan Prasad Yadav, Son of Late Sukhdeb Prasad Yadav resident of village - Durgapur, P.O. - Bhadir Durgapur, P.S. Sonbarsa Raj, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Primary Education, Government of Bihar, Patna.
2. The District Magistrate, Madhepura.
3. The Regional Deputy Director of Education, Koshi, Saharsa.
4. The District Education Officer, Madhepura.
5. The District Programme Officer (Establishment), Zila Parishad Campus, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and the State.

2. The petitioner has moved the Court for the following reliefs:

“i) To issue a writ or order in the nature of mandamus directing the respondents to pay the salary which is dues for the period from 8.8.1969 to 30.11.76 with admissible interest at the rate of 18% per annum.

ii) To issue an order or direction upon the respondents to sanction the amount to pay the amount of salary to the petitioner which is dues of for period from 8.8.1969 to 30.11.76.

iii) To issue a writ or writs or direction upon the respondents for which this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the case and for the ends of justice.”



3. Learned counsel for the State submitted that the dues related to the period which is quite old, the authorities would require time for verification but if the claim is found genuine, payment shall be made to the petitioner.

4. Learned counsel for the petitioner submitted that the writ petition be disposed off with a direction to the authorities to consider the case of the petitioner and make payment accordingly.

5. In view thereof, the writ petition stands disposed off with a direction to the respondent no. 4 to look into the matter and if it is found that the claim of the petitioner is corroborated by the official records, it shall be ensured that the admissible dues of the petitioner are paid to him. The same be done within three months from the date of production of a copy of this order before the respondent no. 4 along with all materials/documents available with the petitioner.

6. It goes without saying that the payments, if required to be made, shall carry statutory interest.

(Ahsanuddin Amanullah, J.)

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