

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5233 of 2016**

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Asha Kumari Wife of late Dukhan Prasad Resident of Village Haranichak Po  
Anisabad, PS beur District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,  
Govt. of Bihar , Patna.
2. The District Education Officer, Patna.
3. The District Superintendent of Education, Patna.
4. The District Provident Fund Officer, Patna.
5. The Accountant General Bihar, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                       |
|----------------------|---|---------------------------------------|
| For the Petitioner/s | : | Mr. Rajesh Ranjan<br>Mr. Pankaj Kumar |
| For the Respondent/s | : | Mr. GP8- MANISH KUMAR                 |
| For the A.G.         | : | Mr. Bindhyachal Rai                   |

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR  
MANDAL**

ORAL ORDER

3      19-08-2017      Heard.

Having regard to the agreement at Bar, the present writ  
application is being disposed of at this stage.

The petitioner served as the Assistant Teacher in  
Government High School and retired on 31.07.2009. Part  
payment of the post retiral dues were made, however, it is  
stated, the G.P.F. amount for the period 1991-92 and 1996-97  
was not paid to him. Similarly, it is stated that the respondents  
paid part of the Group Insurance amount. A sum of Rs. 51,000/-  
and odd is still to be paid to the petitioner. With regard to  
amount of leave encashment, it is stated that the respondents



have sanctioned and paid for 180 days only. The claim of the petitioner for payment of leave encashment amount is of 100 more days.

State respondents have taken a stand that if the petitioner is entitled to those dues and have not been paid, the same can be examined on a claim raised in this regard before the District Education Officer, Patna (respondent no. 2) who shall examine the claim of the petitioner and take appropriate decision redressing the grievance of the petitioner.

Counsel for the petitioner has agreed to disposal of the writ application enabling him to approach the District Education Officer for redressal of the grievance.

Consequently, the writ application is disposed of permitting the petitioner to file a detailed representation with regard to his claim of non-payment/part payment of some of the post retiral dues before the respondent no. 2 for consideration and disposal in accordance with law. If any such representation is filed within four weeks, the respondent District Education Officer will examine the claim of the petitioner and pass appropriate/reasoned order in accordance with law as quickly as possible within eight weeks.

Pankaj/-

**(Kishore Kumar Mandal, J)**

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