

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3383 of 2018

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Lalita Devi, Wife of Late Rajendra Prasad Singh, Resident of Village-Ballipur, P.O.-Balipur, P.S.-Pipariya, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Vikash Bhawa, Baily Road, Patna.
2. The State of Bihar through the Principal Secretary, Human Resources Development Department, Vikash Bhawa, Baily Road, Patna.
3. Special Director (Secondary Education) Sanskrit, Government of Bihar, Patna.
4. District Education Officer, Lakshisarai.
5. The Chairman, Bihar Sanskrit Shiksha Baord, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Gautam, Advocate
For the Respondent/s	:	Mr. P.R.Singh, AC to AAG15
For Sanskrit Board	:	Mr. S.S.Sundaram, Advocate
		Mr. Shashank Shekhar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 09-03-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the respondents.

2. Counsel for the petitioner is permitted to make necessary correction in the cause title of the case during the course of the day.

3. Learned counsel for the petitioner has drawn attention of the Court to the averments made in paragraphs 7 onwards of the writ petition. The husband of the petitioner had approached this Court in CWJC No. 12546/2009 and the said writ petition was disposed of on 11.5.2012 with a direction to the District Education Officer, Lakhisarai for making payment of



admissible salary within a period of three months from the date of receipt/production of a copy of the order. But from the averments made in the writ petition it appears that despite filing of representation along with a copy of the order of this Court in CWJC No. 12546/2009, no action has been taken for payment of salary to the husband of the petitioner and in the meanwhile the husband of the petitioner died on 2.8.2013 without getting arrears. Even representation filed by the petitioner after death of her husband has failed to get any response. Under the aforesaid circumstances, the petitioner was constrained to file the present writ petition.

4. Considering the totality of the fact situation, the respondents are directed to take final decision, if not already taken, within a maximum period of 60 days from the date of receipt/production of a copy of this order and ensure payment of admitted dues failing which the arrears would carry interest at the rate of 9% per annum from the date of accrual till the date of actual payment and the entire interest component would be recovered from the officer concerned responsible for non-disposal of the representation filed by the husband of the petitioner on 11.5.2012. From the averments made in para-8 of the writ petition, it appears that the District Education Officer, Lakhisarai was represented by



the husband of the petitioner and as such, prima facie, the court is of the view that the District Education Officer, Lakhisarai, appears to be responsible for the delay. However, the court refrain from passing any specific direction determining the liability of the District Education Officer, Lakhisarai. It shall be the obligation of the Special Director (Sanskrit), Government of Bihar to examine the lapse in the event the admitted dues are not paid to the petitioner within the period as indicated hereinabove.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.03.2018
Transmission Date	

