

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4485 of 2019

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Raj Dulari Devi, aged about 82 years, female, Wife of Late Raj Kumar Sah
R/o Village- Maraiya, P.S.- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. The District Education Officer, Khagaria
3. The District Programme Officer, Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sri Niwas Jha
For the Respondent/s : Mr.Smt. Shilpa Singh (Ga12)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-03-2019 Heard the learned counsel for the petitioner and

learned counsel on behalf of the State.

Petitioner being wife of late Raj Kumar Sah has prayed for payment of provident fund amount and difference of salary from 01.01.1971 to 01.01.1973 with 18% interest. The late employee died in harness from the post of Assistant Teacher on 09.11.1983 and payment certificate was issued on 23.08.1993. Family pension has also been paid to her. Since the matter relates to payment of retiral benefits of late employee wherein payments certificate have already been issued in the year 1993 and the family pension is being paid. The claim of the petitioner is a belated claim so far as difference of salary for the period from 01.01.1971 to 01.01.1973 is concerned, hence, no



relief at this juncture can be granted to the petitioner on the ground of delay and laches.

So far as provident fund amount is concerned, the Respondent No.3, The District Programme Officer, Khagaria will look into the same and make payment of any dues relating to Provident Fund to the petitioner, same within a period of three months from the date of receipt/production of the copy of the order.

Writ application is disposed of accordingly.

(Nilu Agrawal, J)

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