

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8616 of 2019

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Sushila Kumari W/o Ramawtar Yadav R/o Mohalla-Barmasia, Mirchia Bari,
P.S. and District-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Bihar, Patna
2. The Director Primary Education, Bihar, Patna
3. The District Education Officer Katihar
4. The District Programme Officer (Establishment) Katihar
5. The District Programme Officer Primary Education and Sarva Shiksha
Abhiyan, Katihar
6. The Block Education Officer Katihar
7. The Accountant General Bihar, Patna
8. The Treasury Officer Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Adv.
For the State	:	Mr. M. Mishra, AC to SC-16
for the AG		Mr. L.P.K. Rajgrihar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel appearing on behalf of
the Accountant General, Bihar, Patna.

Petitioner retired from the post of Incharge
Headmistress on 31.10.2016 from the Middle School, Mirchai
Bari and no dues certificate has been issued on 16.01.2017 by
the respondent no. 5, the District Programme Officer (Primary
Education and Sarva Shiksha Abhiyan), Katihar.



Learned counsel for the Accountant General submits that already a PPO has been issued in favour of the petitioner for gratuity and the gratuity amount payable to the petitioner has been calculated as Rs. 9,37,481/-.

Learned counsel for the petitioner submits that if certain dues are to be recovered, the petitioner is ready to adjust the said amount for which a representation has been filed which is Annexure-7 wherein it has been specifically stated that she is ready to adjust the amount of Rs. 57,000/- due to her and make payment of remaining amount of gratuity of Rs. 9,37,481/-.

Considering the nature of claim made by the petitioner, let the petitioner file a detailed representation before the respondent no. 4, the District Programme Officer (Establishment), Katihar which will be disposed of within a period of three months from the date of filing of such representation. Any amount due to the petitioner along with admissible interest would be paid within two months thereafter. If certain deductions are to be made, the same shall be done by a speaking order but considering the fact that already the District Programme Officer (Primary Education and Sarva Shiksha Abhiyan), Katihar, respondent no. 5 has issued a no dues certificate in favour of the petitioner. The said order shall be



communicated to the petitioner by registered post.

Writ application is disposed of accordingly.

(Nilu Agrawal, J)

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