

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8880 of 2017

Nilendra Kumar, Son of Late Kailash Chandra Mishra, Resident of Village-
Katghara, P.O. Fudkichak, Via Muskipur P.S. Gogri District Khagaria

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Under Secretary to the Government of Bihar, Finance Department,
Bihar, Patna.
3. The Accountant General, Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Education Officer, Khagaria.
6. The District Provident Fund Officer, Khagaria
7. The Block Education Extension Officer, Gogri, Khagaria
8. The Headmaster, Primary School Haripur Parbatta North, Parbatta. Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar
For the Respondent/s	:	Mr.Rajesh Kumar Sinha, AC to GP-23
For the Acct. Gen.	:	Mr. Satyendra Kumar Jha, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL JUDGMENT

Date : 08-05-2019

Heard learned counsel for the parties.

2. Petitioner has come before this Court stating that his father was appointed on 01.02.1949 as Primary School Teacher and retired on 31.01.1979 from Primary School Haripur (Parbatta North), Khagaria. He has filed the present writ petition praying therein to pay the amount of difference of salary for the period 01.01.1971 to 31.03.1973.

3. Annexure-1 is the order passed in writ petition being CWJC No. 4678 of 2008, which was filed for the similar relief by the mother of writ petitioner, Smt. Manorama Devi, wife of deceased teacher, which was disposed of by this Court on



15.09.2009 giving liberty to the petitioner of that case to file representation before the District Superintendent of Education Khagaria, which shall be disposed of by the concerned respondent within a period of eight months and if claim is not found admissible, the same shall be communicated to the concerned petitioner with reasons thereof.

4. It appears that the mother of the present writ petitioner, who had filed the writ petition, being CWJC No. 4678 of 2008, has died on 30.03.2014 and now, the present writ petition has been filed for similar relief by the son of a retired employee, who has died in 2002. Since, for the similar relief, earlier writ petition was filed in which certain directions were issued by this Court, in my considered opinion, the present writ petition is not maintainable and is accordingly, dismissed.

5. However, petitioner may explore the possibility of filing an appropriate petition before an appropriate court of law for implementation/compliance of order dated 15.09.2009 passed by this Court in CWJC No. 4678 of 2008 filed by the mother of the present writ petitioner.

(Anil Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

