

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9881 of 2018

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Durga Devi Wife of Late Surendra Narayan Mishra, Resident of Village-
Manpaur, Via-Khirhar, P.S.-Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Primary education, Government of Bihar, Patna.
3. The District Education Officer, Madhubani, District-Madhubani.
4. The District Programme Officer, Establishment, Madhubani, District-Madhubani.
5. The Block Education Officer, Bisfi Block, District-Madhubani.
6. The District Provident Fund Officer, Madhubani, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Manoj Kumar Jha, Adv.
For the State	:	Mr. Bijay Bhushan Prasad, AC to SC XIII
For the AG	:	Mr. Ram Kuber Choubey, SC to AG

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 20-06-2019 Heard the learned counsel for the petitioner and the

learned counsels appearing for the State as well as the

Accountant General, Bihar, Patna.

Petitioner, in the present writ application, claims
entire amount of General Provident Fund prior to November,
1976, as well as dues of arrears of salary from 01.01.1971 to
31.03.1973 of her late husband, Surendra Narayan Mishra, with
up-to-date statutory interest.

A counter affidavit has been filed on behalf of the
respondent no. 6, the District Provident Officer, Madhubani,



stating therein that the General Provident Fund amount prior to year 1976 has been prepared and calculated up-to March, 2019, and authority slip of Rs.13,96,433/- has been prepared to be presented before the Treasury, Madhubani. So far as salary for the period 01.01.1971 to 31.03.1973 is concerned, it has been stated in paragraph 7 of the said counter affidavit that the said amount of arrears of salary has been included in the year 1981-82 of the B.T. up-to 1985-86, which is Annexure 'G' to the counter affidavit filed on behalf of the respondent no. 6.

Learned counsel for the petitioner had sought time twice, on 22.04.2019 and 02.05.2019, to verify the said position.

Again, today, a short adjournment is being sought.

Considering that the amount has already been sanctioned and by now must have been presented in the Treasury, Madhubani, this writ application is **disposed of** with the direction to the respondent no. 6, the District Provident Officer, Madhubani, to ensure that the said amount of Rs.13,96,433/- has been deposited in the account of the petitioner.

It has, further, been submitted by the counsel for the State that the entire payment has been made.

However, since, the petitioner has not been able to



verify, the District Provident Officer, Madhubani, respondent no. 6, will ensure that all payments are deposited in the account of the petitioner, if not already deposited, within a period of two months, from the date of receipt/production of a copy of this order.

(Nilu Agrawal, J)

Shamshad/-

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