

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14264 of 2017

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Baidyanath Thakur, Son of Late Muktinath Thakur, resident of village-
Jagdishpur Rami, P.S. Chakhaji, Dist.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Programme Officer, Samastipur.
6. The District Provident Fund Officer, Samastipur.
7. The Treasury Officer, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Pandey, Advocate

For the Respondent/s : Mr. Prabhat Ranjan Singh, AC to AAG-15

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

Date : 03-05-2019

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

2. Petitioner retired on 30.04.2007 as Headmaster from
the Government Primary School, Bherokhara, Tajpur, Samastipur.
He claims payment of arrears of salary for the period 01.01.1971
to 31.03.1973 with statutory interest @ 12% and payment of part
GPF amount with statutory interest prior to December 1976 as
well as penal interest @ 18% on the amount of outstanding GPF.

3. Learned counsel for the petitioner submits that a
similar matter had been decided by this Court in CWJC No. 4339
of 2009 dated 08.04.2013 wherein difference of salary along with



interest @ 8% per year had been ordered. So far GPF prior to 1976 was concerned, this Court directed for refund of the amount with statutory interest payable every year on the provident fund accumulations and not flat @ 6% per year. A cost of Rs. 10,000/- was also awarded for the delay in settlement of retiral benefits to the widow of that employee.

4. This writ application is disposed of in the same terms as CWJC No. 4339 of 2009. Respondent No. 5, the District Programme Officer, Samastipur and the District Provident Fund Officer, Samastipur (Respondent No. 6) are directed to pay the entire dues of difference of arrears of salary for the period 01.01.1971 to 31.03.1973 with interest as also the GPF along with interest in the light of the order passed in CWJC No. 4339 of 2009 within a period of three months from the date of receipt/production of a copy of this order. However, the cost imposed in the said writ application would not be payable by the State authorities.

5. Order to be communicated to the authorities for timely compliance.

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.05.2019
Transmission Date	NA

