

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25432 of 2019

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Ashok Kumar Mishra S/o Late Rameshwar Mishra, Resident of Mohalla-Srinagar, P.S. Srinagar, Masaurhi, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Director Primary Education, Government of Bihar, Patna.
2. District Education Officer, Patna.
3. District Provident Fund Officer, Patna.
4. Treasury Officer, Patna.
5. District Programme Officer (Establishment), Patna.
6. Headmaster cum Drawing cum disbursing Officer, Chinit Agyas Middle School, Masaurhi, Patna.
7. Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Harendra Kumar Tiwary, Adv.
For the Respondent/s : Mr. Samir Kumar, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2019 Heard learned counsel for the parties.

The petitioner claims that his post retiral dues against provident fund, gratuity and leave encashment as well as pension is not being paid to him though he retired on 31.01.2019 as an Assistant Teacher of Upgraded Middle School, Maroura in the district of Patna.

It does not appear from the writ application that the petitioner made any representation before the authorities raising any grievance of non-payment of his post retiral dues. There



cannot be a command by this Court unless it is shown that any demand was made by the petitioner for payment of post retiral dues before the authorities.

Let petitioner approach the competent authority claiming payment of aforementioned post retiral dues by making representation.

At this stage, the Court will simply observe that legal entitlements of a retired employee cannot be withheld and such payments cannot be unnecessarily delayed. If any representation is made by the petitioner, the respondents shall be obliged to consider the same and make payment of all admissible dues along with statutory interest, if permissible, within a period of three months from the date of receipt/ production of a copy of the order.

Application stands disposed of.

(Chakradhari Sharan Singh, J)

Rajesh/-

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