

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24877 of 2018

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Aarti Mishra, wife of late Navin Prakash Resident of Village - Mahua
Sadapur, P.S. - Mahua, District - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Vaishali, at Hajipur
4. The District Programme Officer Establishment, Vaishali, Hajipur.
5. The Treasury Officer, Vaishali, at Hajipur
6. The Accountant General of Bihar, Beerchand Patel Path, Patna- 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhu Nath Pathak
For the Respondent/s : Mr.Jitendra Kr. Roy 1- SC13

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-06-2020 Heard Mr. P.N. Pathak, learned counsel for the

petitioner and Mr. Jitendra Kr. Roy No.1, SC-13, counsel for the

State.

In the present case, the petitioner is seeking relief of

retiral dues of family pension and gratuity.

Earlier the husband of the petitioner has approached

this Court in C.W.J.C. No. 11859 of 2013 (Naveen Prakash Vs.

The State of Bihar & Ors.) along with others in different writ

applications and this Court, vide order dated 19.7.2013,

disposed of the same and today learned counsel for the

petitioner has informed this Court about the about the order

contained in Memo No. 1452 dated 16.8.2019, which has not



been brought to the notice of this Court, in which the Director, Primary Education has passed the order for recovery of an amount of Rs. 1,75,395/-.

Learned counsel for the State agrees that the petitioner should be paid the admitted dues except the amount involved in the aforesaid order passed by the Director, Primary Education.

In that view of the matter, this Court directs the respondent specifically the respondent no.2 to ensure payment of the admitted dues to the petitioner within a period of four months from the date of receipt/production of a copy of this order as the petitioner is the widow of the deceased employee, namely, Navin Prakash.

With the aforementioned observation and direction, this writ application is disposed of with a liberty to the petitioner to challenge the aforesaid order passed by the Director, Primary Education by which a direction has been given for deduction of the amount involved in the said order.

(Shivaji Pandey, J)

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