

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4245 of 2020

Most. Sumitra Devi W/o Late Prabhunath Singh @ Prabhu Singh Resident of
village- Rampur Ami, P.o.- Dighwara, Ps- Dighwara, District- Saran (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through District Education Officer, Govt. of Bihar, Patna
2. The District Magistrate, Chapra, Saran
3. The District Programme Officer, Shapra, Saran
4. The Block Education Officer, Sonapur, Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajeshwar Prasad
For the Respondent/s : Mr.Smt.Shilpa Singh (Ga12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-06-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Grievance of the petitioner in the preset writ
application is non-payment of family pension, gratuity and leave
encashment as also provident fund.

The husband of the petitioner was working as
Assistant Teacher in the middle school, Dighwara. He was
transferred to Jai Goving Inter College, Dighwara, Saran. He is
found missing since 1988. Up to March, 1988, the husband of
the petitioner received regular salary.

Learned counsel for the petitioner submits that the
petitioner has been paid her group insurance on the basis of



resolution of the State Government vide memo no. 4185 dated 13.7.1985 of Rs. 96000/- but the petitioner has not been paid family pension, gratuity, leave encashment and provident fund.

Considering the fact that the husband of the petitioner was Assistant Teacher and noticing the fact that he is found missing, the petitioner was entailed to balance amount and retiral dues, the writ petition is disposed of with a direction to the respondents to calculate the entitlement of the husband of the petitioner and ensure payment of all post retiral dues alongwith with calculation chart within a period of four months from the date of receipt/production of a copy of this order, failing which the petitioner shall be entitled to payment of interest @ 9% from the date of filing of the writ application dated 24.2.2020 till the date of actual payment.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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