

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19349 of 2017

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Deo Narayan Mahto Son of Late Tiral Mahto, Resident of Mohalla- Garahua
Tola, P.O.- Mahondra, P.S.- Sultanganj, Town and District- Patna.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board and Ors
2. The Chairman, Bihar School Examination Board, Sinha Library Road,
Patna.
3. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Srivastava, Advocate
For the Respondent/s	:	Mr.Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-05-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner has filed the present application aggrieved by the inaction on the part of the respondent -Bihar School Examination Board in non-payment of pension/arrears of pension to the petitioner.

Counsel appearing on behalf of the Board submits that the petitioner has been paid pension upto September, 2016 and thereafter he has not been paid pension because he failed to produce certificate as to his existence.

It is unfortunate that petitioner has filed the present writ application for payment of his pension - arrears and current – but the respondent-Board is conveniently taking the plea that



the petitioner has to establish that he is alive.

In the peculiar facts of the case, the writ petition is disposed of with a direction to the Secretary, Bihar School Examination Board to take step to verify the existence of the petitioner and ensure payment of entire arrears of pension within a period of one month from the date of receipt/production of a copy of this order in one go failing which interest at the rate of 9% on the arrears of pension from October, 2016 till the date of actual payment shall be realized from the pocket of the Secretary of the Board and other responsible officials of the Bihar School Examination Board.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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