

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7790 of 2017

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Yogendra Mahto Son of Late Dinesh Mahto resident of Village-Begampur,
P.O.-Chhatauna, P.S.-Nawakothi, District-Begusarai Presently as retired
Assistant Teacher janata High School Chandpura

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director Secondary Education, Bihar, Patna.
3. The District Education Officer, Begusarai
4. Treasury Officer, Begusarai.
5. Accountant general, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kishore Shahi
For the Respondent/s : Mrs. Shilpa Singh- Ga12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 18-05-2020 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

Petitioner's grievance is non-payment of certain amount
towards post-retiral benefits. He claims on the basis of
Annexure-22 series that as per his calculation the total amount
yet to be paid is Rs. 4,39,870/- which has been disputed by Mrs.
Shilpa Singh, Government Advocate -12.

Learned counsel for the petitioner submits that the
respondents have not provided any calculation chart and in most
arbitrary manner calculated his retirement dues and paid the
same.



Considering the rival submissions of the parties, the writ petition is disposed of with a direction to the respondents to verify the calculation chart submitted by the petitioner dated 26th August, 2015 and also provide a calculation chart prepared by the respondents to the petitioner and if any amount is found payable to the petitioner, they shall ensure payment thereof.

Mrs. Shilpa Singh, in peculiar facts and circumstances submits that due to Covid-19 pandemic, there may be practical difficulty in complying the directions. She prays that respondents may be granted 08 weeks time.

Considering the problem faced by the respondents due to Covid-19 pandemic, the Court grants 02 months time to the respondents to revisit the calculation of the petitioner's post-retiral claim and ensure payment of any amount which may be found payable after calculation and verification of the claim made by the petitioner as contained in the representation dated 26th August, 2015. Necessary exercise as to verification of the claim of the petitioner and payment of admitted dues must be completed within the time-frame indicated above.

It is made clear that if admitted dues are not paid and calculation chart provided for the entitlement of the petitioner within the aforesaid time, the District Education Officer,



Begusarai shall be personally responsible and he shall be liable to pay interest at the rate of 6 percent from his own pocket for delay in payment beyond 60 days from today.

With the aforesaid, the writ petitioner stands disposed of.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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