

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.875 of 2020

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Shiv Shankar Prasad, Son of Late Raj Kumar Prasad, Resident of Village and
P.O.-Bhutahi, P.S.-Sonbarsa, District-Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Director, Secondary Education, Education Department, Government of
Bihar, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Sitamarhi.
5. The District Provident Fund Officer, Sitamarhi.
6. The Treasury Officer, Sitamarhi.
7. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Ram Sagar Singh, Advocate
For the S t a t e	:	Smt. Binita Singh, S.C.-28
For the Accountant General:		Mr.Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-06-2020 Since as of now the Courts have not resumed normal

physical hearing, the matter has been listed today for

consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned counsel for the State as well as the learned counsel



appearing for the Accountant General.

The petitioner has prayed for payment of retiral dues as well as arrears of salary for the period 01.01.1989 to 30.08.2010.

Submission is that after due enquiry with respect to continuity of petitioner's working in the School, a report was sent to the Director, Secondary Education, Patna by the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur, under Memo No.230 dated 20.10.2018. Considering the said report, arrears of salary with effect from 01.01.1989 to 30.08.2010 is required to be paid to the petitioner and his retiral dues are also required to be sanctioned.

It is submitted that the petitioner would submit a detailed claim before the Respondent No.2-the Director, Secondary Education, Government of Bihar, Patna along with a copy of this order within two weeks.

In view of the said submission, no adjudication is called for and pendency of the writ application would be futile.

In presence of the learned counsel for the State and the learned counsel for the Accountant General, this Court would direct the Respondent No.2-the Director, Secondary Education, Government of Bihar, Patna to ensure that the



petitioner's claim, if submitted within two weeks, be processed and the amount found due and admissible under the head "arrears of salary and other retiral dues with benefit of ACP" be paid to the petitioner within three months thereafter. The payment shall be accompanied by a details of calculation in support of the claim amount being paid and if any claim found inadmissible, the Respondent No.2 would be obliged to assign reason for rejection under due intimation to the petitioner. The entire exercise be completed within the aforesaid time.

With the aforesaid observations and directions, the writ petition stands disposed of.

(Madhuresh Prasad, J)

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