

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.172 of 2020

In

Civil Writ Jurisdiction Case No.11440 of 2012

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Mukesh Kumar Panday, Son of Late Bishweshwar Dayal Panday, Resident of
C/27/79, R.B.M Jagatganj, Varanasi 2, P.S. Chetganj, District- Varanasi.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Commissioner-cum-Secretary, Human Resources and Development
Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Bhagalpur.
5. The Regional Deputy Director of Education, Munger.
6. The District Education Officer, Munger.
7. The District Superintendent of Education, Munger.
8. The District Provident Fund Officer, Munger.
9. The Director, Provident Fund, Bihar Patna.
10. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Manoj Kumar Singh, Advocate
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (A.A.G.15)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 08-09-2021

Heard learned counsel for the parties.

Being aggrieved by judgement and order dated
07.01.2013 passed in C.W.J.C. No. 11440 of 2012 passed by
learned Single Judge of this Hon'ble Court, appellant/petitioner
has preferred this L.P.A.

Father of the appellant Late Bishweshwar Dayal Panday, retired from service on 31.08.1992 from the post of Area Education Officer, in the district of Munger, Education Department, Government of Bihar. However, in spite of his retirement, he was not paid any retiral dues, for which father of appellant filed C.W.J.C. No. 4717 of 2000 which was disposed of on 04.12.2003 alongwith another analogous cases with a direction to pay the retiral dues but father of appellant died on 21.03.2004 without payment of any retiral dues as well as unpaid salary from July 1989 to 31.08.1992, as such, appellant filed present writ petition for payment of retiral dues as well as unpaid salary from July 1989 to 31.08.1992 to his late father with all consequential benefits.

On the basis of affidavits filed before the writ court, learned Single Judge has held that entire arrears of different post retiral dues had already been paid to the father of appellant during his life time and nothing remains to be paid and present claim made by the appellant with respect to service dues of father of appellant is misconceived and has wasted the valuable time of the Court and dismissed the writ petition of appellant with a cost of Rs. 3000/- after coming to the conclusion that appellant is not entitled for any relief as all retiral dues were

paid to the late father of appellant during his life time pursuant to direction issued by this Court in the writ petition filed by father of appellant.

This Court does not find any infirmity or error in the order passed by the learned Single Judge, accordingly, the L.P.A. is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA