

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7763 of 2020

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Bimla Nayak, Wife of Sri Baidyanath Malik, Resident of Village- Bahera,
P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Education Department (Human Resources Development Department), Government of Bihar, Patna.
3. The Director Primary Education, Education Department Government of Bihar, Patna.
4. The District Magistrate Darbhanga.
5. The District Education Officer Darbhanga.
6. The District Programme Officer (Establishment) Darbhanga.
7. The District Programme Officer (Primary Education and Sarb Siksha Abhiyan, Bihar Education Project), Darbhanga.
8. The Block Education Officer, Benipur, District- Darbhanga.
9. The Treasury Officer, Benipur, District- Darbhanga.
10. The Headmaster Identified Middle School, Hanuman Nagar, Benipur, District- Darbhanga.
11. In- charge Headmaster Government Middle School, Bahera (Civil), Benipur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Satish Chandra Jha 3, Advocate Mr. Shambhoo Kr. Suman, Advocate
For the State	:	Mr.Prabhakar Jha, GP-27
For BEPC	:	Mr. Girigish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

9 22-03-2021 Heard learned counsel for the parties.

2. The petitioner on attaining the age of superannuation retired as Incharge, Headmistress, Government Middle School, Bahera, in the district of Darbhanga with effect from 31.01.2019. She had a grievance that despite issuance of



Pension Payment Order and Gratuity Payment Order by the office of the Accountant General way back on 29.06.2020, she had not been paid the said amount. She has a grievance in relation to other post retiral dues also.

3. A counter affidavit and a supplementary counter affidavit have been filed on behalf of the State Respondents which disclose that the grievance of the petitioner in relation to payment of post retiral dues has since been substantially redressed but after some delay.

4. Learned counsel appearing on behalf of the petitioner has argued that in all fairness the respondents should have provided to the petitioner the manner of calculation of the petitioner's entitlements against various heads which could have enabled the petitioner to either assess the said calculation and raise objection if any before the appropriate authority. He has informed this Court that recently, the amounts of pension and gratuity have been paid to the petitioner.

5. Considering the facts and circumstances, it is considered appropriate to dispose of this writ application with a direction to Respondent No. 6 to provide to the petitioner a chart showing calculation of post retiral dues of the petitioner against various heads which have been paid to her, within a period of



three months from the date of receipt/ production of a copy of this order.

6. It goes without saying that if according to the petitioner she is entitled to more amount than what has been paid to her on the basis of calculation so furnished to her, she will be at liberty to raise her grievance before the appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J)

Rajesh/-

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