

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10835 of 2019

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Mira Kumari, wife of Sant Kumar Pandey, resident of Mohalla P 23, Vijai Nagar, Road No. 3, P.S. Patrakar Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Director, Primary Education, Government of Bihar, Patna
3. District Education Officer, Patna
4. Drawing Disbursing Officer cum Headmaster, Middle School, Phulwarisharif, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh, Advocate
For the Respondent/s : Mr.AC to (GA 12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 25-02-2021 Heard Mr. Devendra Prasad Singh, learned counsel appearing on behalf of the petitioner and learned A.C. to G.A. 12, for the State.

Mr. Devendra Prasad Singh, learned counsel for the petitioner referring to paras 10 and 11 of the writ petition submits that the petitioner was belatedly paid post retiral dues and as such the petitioner is entitled to payment of interest on the delayed payment of post retiral dues.

On the other hand, learned counsel appearing on behalf of the State would submit that the delay is attributed to the overwriting in the service book which is evident from the letter dated 11.12.2017, Annexure-A to the counter affidavit.

Considering the letter dated 11.12.2017, as contained



in Annexure-A to the counter affidavit, the Court is of the view that it would be appropriate that the matter may be enquired into by the Regional Deputy Director of Education who shall enquire into the issue raised in the letter dated 11.12.2017 and take final decision at the earliest preferably within a period of four months from today. If the petitioner is not found responsible for overwriting in the service book, the petitioner shall be paid interest at the rate of 6% on the delayed payment otherwise the petitioner's claim for interest shall be forfeited.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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