

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3154 of 2019

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Jibnath Jha, son of Late Balbodh Jha, resident of Village and P.O. Dulha, P.S. Bisfi, District- Madhubani, presently residing at Mohalla- Lakshmi Sagar- 52 Bigha Road No. 5 Mukhiya Pokhar, P.S. L.N.M.U Darbhanga District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Human Resources Development Department Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The District Education Officer, Madhubani.
5. The District- Provident Fund Officer, Madhubani.
6. The District Programme Officer (Establishment), Madhubani.
7. The Treasury Officer, Madhubani.
8. The Block Education Officer, Rahika, Madhubani.
9. The Headmaster Upper Primary School Dulha, Bisfi Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adavoce
For the Respondent/s : Mr. Pramod Kumar Singh, AC to SC- 16

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 07-12-2023

Heard Mr. Gagan Deo Yadav, learned counsel for the petitioner and Mr. Pramod Kumar Singh, learned counsel for the State.

2. The petitioner by invoking the prerogative writ jurisdiction of this Court under Article 226 of the Constitution of India has filed the present writ petition seeking a direction to the respondents to make payment of arrears of difference of salary for the period 01.01.1971 to 31.03.1973 as well as the amount of General Provident Fund along with interest thereon.



3. A counter affidavit has been filed of behalf of respondent no.6 stating therein that the father of the petitioner superannuated way back in the year 1987 and died in the year 1996 itself. It has also been averred that the payment of difference of arrears of salary for the period 01.01.1971 to 31.03.1973 as well as the amount of G.P.F. has already been paid to the erstwhile employee. In order to support his submission, he drew the attention of this Court to para. 8 and 9 of the counter affidavit.

4. He next submitted that the present writ petition has been filed after 31 years of the retirement of the deceased teacher and moreover after such belated stage there is no material evidence in respect to payment of G.P.F. amount available in the office of the answering respondent. He, thus, submits that if the petitioner has any material in support to his claim, he is at liberty to approach the authority concerned.

5. In view of the submissions advanced on behalf of the parties and the materials available on record, the writ petition stands disposed of with the liberty aforesaid.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.12.2023
Transmission Date	NA

