

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7035 of 2023

1. Indra Narayan Mishra Son of Late Videshwar Mishra, Resident of Village-Rakhwari, P.S.-Rudrapur, District-Madhubani.
2. Ram Narayan Jha, son of Visheshwar Jha, Resident of Village-Rakhwari, P.S.-Andhara Thadhi, District-Madhubani.
3. Bhogendra Mishra, Son of Late Thakkan Mishra, Resident of Village-Rakhwari, P.S.-Rudrapur, District-Madhubani.
4. Yamuna Prasad Mahto, Son of Late Kari Mahto, Resident of Village-Adalpur Behat, P.S.-Lakhnaur, District-Madhubani.
5. Binod Jha, Son of Late Ramkrishan Jha, Resident of Village-Maharaili, P.S.-Rudrapur, District-Madhubani.
6. Ratish Chandra Mishra, son of Late Phucheswar Mishra, Resident of Village-Rakhwari, P.S.-Rudrapur, District-Madhubani.
7. Nagendra Mishra, Son of Late Tript Narayan Mishra, Resident of Village-Rakhwari, P.S.-Rudrapur, District-Madhubani.
8. Bhairav Mishra, Son of Late Bilat Mishra, Resident of Village-Rakhwari, P.S.-Rudrapur, District-Madhubani.
9. Balkrishan Mishra, son of Late Thakkan Mishra, Resident of Village-Rakhwari, P.S.-Rudrapur, District-Madhubani.
10. Hari Narayan Jha, son of Late Jhari Jha, Resident of Village-Gonauli, P.S.-Andharathadhi, District-Madhubani.
11. Kameshwar Jha, son of Late Sushil Jha, Resident of Village-Karanpur, P.S.-Rudrapur, District-Madhubani.
12. Nripendra Jha, son of Late Vishnu Kant Jha, Resident of Village-Kanhauli, P.S.-Jhanjharpur, District-Madhubani.
13. Umanath Jha, son of Late Upendra Jha, Resident of Village-Barhara, P.S.-Babubarhi, District-Madhubani.
14. Vinodanand Jha, son of Late Sukhdev Jha, Resident of Village-Brhara, P.S.-Babubarhi, District-Madhubani.
15. Kamal Kant Jha, son of Late Genas Jha, Resident of Village-Bela, P.S.-Khutauna, District-Madhubani.
16. Jay Narayan Yadav, Son of Late Baidnath Yadav, Resident of Village-Gadha, P.S.-Ladaniya, District-Madhubani.
17. Indra Kumar Mishra, son of Dinesh Chandra Mishra, Resident of Village-Khojpur, P.S.-Babubarhi, District-Madhubani.
18. Murlidhar Mehta, Son of Late Narshing Mehta, Resident of Village-Bhupatti, P.S.-Babubarhi, District-Madhubani.
19. Ram Narayan Mehta, son of Late Parmeshar Mehta, Resident of Village-Bhupatti, P.S.-Babubarhi, District-Madhubani.
20. Ram Shobhit Jha, Son of Late Nageshwar Jha, Resident of Village-Pachrukhi, P.S.-Babubarhi, District-Madhubani.



21. Niranjana Prasad Khoshla, S/o Late Sundar Khoshla, Resident of Village-Bhupatti, P.S.-Babubarhi, District-Madhubani.
22. Ram Sundar Singh, Son of Shirchan Singh, Resident of Village-Khojpur, P.S.-Babubarhi, District-Madhubani.
23. Gayatri Devi, Wife of Late Maheshwar Jha, Resident of Village-Khojpur, P.S.-Babubarhi, District-Madhubani.
24. Bholi Devi, Wife of Late Sataynarayan Yadav, Resident of Village-Gadha, P.S.-Ladaniya, District-Madhubani.
25. Bhogendra Chaudhary, son of Late Hari Narayan Chaudhary, Resident of Village-Sahuriya, P.S.-Andhara Thadhi, District-Madhubani.
26. Shyamanand Jha, son of Shudeshwar Jha, Resident of Village-Sahuriya, P.S.-Andhara Thadhi, District-Madhubani.
27. Suresh Chaudhary, son of Ram Jivan Chaudhary, Resident of Village-Sahuriya, P.S.-Andhara Thadhi, District-Madhubani.
28. Bimal Chaudhary, Son of Upendra Chaudhary, Resident of Village-Sahuriya, P.S.-Andhara Thadhi, District-Madhubani.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Special Director, Secondary Education, Government of Bihar, Patna.
3. The District Magistrate, Madhubani, District-Madhubani.
4. The District Education Officer-cum-District Planning Officer, Madhubani, District-Madhubani.
5. The District Programme Officer, Madhubani, District-Madhubani.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Sanskrit Board : Mr. Sanjay Kumar, Advocate
For the State : Mr. Madhukar Mishra, AC to SC-16)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 26-07-2023

Heard Mr. Subhash Kumar Jha, learned counsel appearing on behalf of petitioners; Mr. Sanjay Kumar, learned counsel appearing on behalf of Bihar Sanskrit Shiksha Board, Patna and Mr. Madhukar Mishra, learned AC to SC-16 for the



State.

2. The petitioners, who are total 28 in numbers, are aggrieved by non payments of General Provident Fund payable to the employees of the Bihar Sanskrit Shiksha Board and also on account of incorrect deduction of certain amount of provident fund from the dearness allowances.

3. Learned counsel appearing on behalf of petitioners submits that he has received instruction from the petitioner that they want to make individual representation before the District Programme Officer (Establishment).

4. Considering the submission made on behalf of the petitioners, the District Provident Fund Officer is directed to collect the deduction statements made into the account of the petitioners with respect to the period from which the payability of General Provident Fund has been adopted by the Bihar Sanskrit Shiksha Board, Patna and call upon the deduction statements regarding contribution made in Provident Fund Account of the petitioner and ensure that he must make payment of dues amount of the General Provident Fund on the basis of deduction made with respect to the individual petitioners within a period of six weeks in accordance with law.

5. The District Programme Officer (Establishment)



must ensure that specific direction has been given to the District Education Officer to provide all the necessary deduction statement to the authority concern. In case the District Programme Officer (Establishment) finds it proper to get assistance of the District Education Officer in that case, he may proceed to call the District Education Officer with all the documents relating to the individual petitioners. The representation of the petitioners must be disposed of by ensuring payment on account of General Provident Fund within a period of six weeks.

6. It goes without saying that the statutory interest on account of delay in making payment must be paid after calculating interest accrued for each financial year during which the deductions were made.

7. With the above observations and directions, the writ petitions stands disposed of.

(Purnendu Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.07.2023
Transmission Date	

