

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7109 of 2023

1. Mohanji Jha Son of Late Tej Narayan Jha
2. Jeev Nath Jha, Son of Late Tej Narayan Jha
3. Rameshwar Mishra, Son of Late Buddhi Mishra
4. Raj Kumari Devi, Wife of Late Hajari Mishra
5. Shambhu Nath Thakur, Son of Late Yogeshwar Thakur
6. Durga Nand Pathak, Son of Late Bindeshwar Pathak
All 1 to 6 Residents of Village- Mansapur, Police Station- Laukahi, District- Madhubani.
7. Rabindra Nath Yadav, Son of Late Jilebi Yadav Resident of Village- Sonbarsa, Police Station- Laukahi, District- Madhubani.
8. Bhuvneshwar Jha, Son of Late Tej Narayan Jha
9. Purnima Mishra, Son of Late Raghunath Mishra
10. Sristi Narayan Mishra, Son of Late Saryug Mishra
All 8 to 10 Residents of Village- Mansapur, Police Station- Laukahi, District- Madhubani.
11. Krishna Chandra Sharma, Son of Late Braj Kishore Sharma Resident of Village- Panchratna Haiyash, Police Station- Basopatti, District- Madhubani.
12. Mangu Jha, Son of Late Tribhuvan Jha Resident of Village- Birpur, Police Station- Basopatti, District- Madhubani.
13. Anju Kumari, Daughter of Late Ram Chandra Sharma Resident of Village- Panchratna Haiyash, Police Station- Basopatti, District- Madhubani.
14. Nilam Sharma, Wife of Late Ram Chandra Sharma Resident of Village- Panchratna, Police Station- Basopatti, District- Madhubani.
15. Budhini Devi, Wife of Late Jagdeo Yadav Resident of Village- Manapatti, Police Station- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

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

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Hemant Kumar Jha, Advocate
For the Respondent/s : Mr. K.Singh, AC to SC 28

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-07-2023 Heard Mr. Hemant Kumar Jha, learned counsel

appearing on behalf of the petitioners and Mr. K.Singh, learned

AC to SC 28 for the State.

2. The petitioners have sought for following relief(s) :

“That this is an application for issuance of a writ in the nature of mandamus and/ or any other appropriate writ, order or direction directing and commanding the respondents to make payment of post retiral dues in the form of deductions of Dearness Allowance and the Salary deposited in the General Provident Fund account of the petitioners in accordance with "Essential Deposit Plan" along with statutory interest, which has not been paid to the petitioners although the same amount was deducted from the salary of the petitioners and the petitioners have also retired from service.”

3. All the petitioners in the writ petition have sought for payment of retiral dues in the form of deduction of Dearness Allowance and salaries deposited in their General Provident Fund Account along with the statutory interest, as the same has not been paid to them.

4. The petitioners have sought to file individual representation and disposal of the present writ petition in terms of order passed in the case of *Dwarika Nath Singh Vrs. The State of Bihar & Ors. (CWJC No.17536 of 2012) and Narayan*



Jha & Ors. Vrs. The state of Bihar & Ors. (CWJC No.11156 of 2017).

5. The writ petition is disposed of with a direction to the concerned respondent to examine the individual claim of the petitioners in light of the judgment/order relied by the petitioners and ensure that the admissible amount are paid to the petitioners with statutory interest till the date of payment within a period of six weeks from the date of receipt/production of a copy of this order in accordance with law. In case the claim of the petitioner in whole or in part is rejected, the same must be through speaking order.

6. The present writ petition stands disposed of on aforesaid terms.

(Purnendu Singh, J)

chn/-

U			
---	--	--	--

