

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2656 of 2017

=====

Ramendra Prasad Mishra Son of Kapildeo Mishra, Residnet of Village-
Mishrwalia, Post- Pawar, P.S.- Pawana, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director of Secondary Education, Bihar at Patna.
3. The Regional Deputy Director of Education, Region- Patna, Bihar at Patna.
4. The District Education Officer, Buxar.
5. The District Program Officer, Establishment, District- Buxar.
6. The Accountant General of Accountant General Office, Bihar at Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, GP-27
		Mr. Shankar Kumar Thakur, A.C. to G.P.-27

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 27-03-2023 Heard Mr. Rajani Kant Pandey, learned Counsel

appearing on behalf of the petitioner and Mr. Prabhakar

Jha, learned G.P-27 appearing on behalf of the State.

2. Parties have admitted that almost all the
retirement benefits of the petitioner has been paid and in
this regard learned Counsel appearing on behalf of the
respondent refers to paragraph Nos. 7 and 8 of the main
counter affidavit and paragraph Nos. 5 and 7 of the
supplementary affidavit which are reproduced hereinafter:

“7. That it is humbly stated that after



retirement, the District Programme Officer (Establishment), Buxar has issued office order regarding the payment of G.L.I. amount of the petitioner. G.L.I. amount of Rs. 1,93,878/- has already paid in the account of the petitioner vide Memo No. 294 dated 29.02.2016.

8. That it is stated that the G.P.F. office Bhojpur has sent a letter to the D.P.O. (Estt.), Buxar regarding the payment of G.P.F. amount of the petitioner. G.P.F. amount of Rs. 10,08,574/- has already paid in the account of the petitioner vide letter No. 541 dated 12.07.2016.”

“5. That is is stated and submitted that in the light of letter vide Memo No. 01 dated 01.11.2013 of the R.D.D.E., Patna Commitionary, Patna, the D.P.O. (Esttab.), Buxar issued office order and approved total 627 days leave of the petitioner as per Rule 227, 228 and 236 of Bihar Service Rule Vide Memo No. 527 dated 21.06.2019.

7. That after calculation, the earned leave amount Rs. 5,25,753/- (Five Lacs Twenty Five Thousand Seven Hundred Fifty three only) and 96,778/- (Ninety Six Thousand Seven Hundred Seventy Eight Only) of petitioner has already been paid in the bank account bearing Bank A/C No. 11239105558 of the petitioner on 19.10.2019 and 21.10.2019 respectively.”

3. Learned Counsel appearing on behalf of the petitioner, however, submitted that certain dues still remains to be paid to the petitioner and he may be given liberty to file a detailed representation for payment of his dues amount on account of any head payable to the petitioner.

4. The Director, Secondary Education, Bihar is



directed to call upon the District Programme Officer along with the records relating to the payment of retiral dues of petitioner to ensure as to whether in compliance of the statements made in the counter affidavit and supplementary counter affidavit all the dues has been paid to the petitioner at his end without any delay. In case the Director finds that the District Programme Officer to have caused any delay on account of payment of retiral dues after sanctioning of the same, appropriate disciplinary action is required to be taken against him.

5. Considering the statement made in counter affidavit and supplementary counter affidavit, it appears that the petitioner's claim has been decided. However, if the petitioner finds that certain dues still remains to be paid to him by the respondents, he may file a detailed representation before Director, Secondary Education, Bihar, who will ensure payment of all legal dues of the petitioner which has not been paid or still remains to be paid to the petitioner within a period of three weeks from the date of filing of the representation of the petitioner.



6. Accordingly, the present writ petition is
disposed of.

(Purnendu Singh, J)

Niraj/-
Nilmani/-

U			
---	--	--	--

