

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8751 of 2023

1. Radha Nath Singh Thakur Son of Late Kashi Nath Singh Thakur, Resident of Village - Bhaur, Police Station - Pandaul, District - Madhubani.
2. Padma Devi Wife of Late Dimbhika Nath Singh, Resident of Village - Bhaur, Police Station - Pandaul, District - Madhubani.
3. Shyama Nath Singh Thakur Son of Late Muni Nath Singh Thakur, Resident of Village - Bhaur, Police Station - Pandaul, District - Madhubani.
4. Usha Devi Wife of Late Mahindra Thakur, Resident of Village- Pacharhi, Police Station - Pandaul, District- Madhubani.
5. Jagdish Jha Son of Late Phuchkun Jha, Resident of Village Dhanerampur, Police Station - Manigachhi, District - Darbhanga.
6. Chameli Devi Wife of Late Upendra Jha, Resident of Village - Raiyan, Police Station - Bhairabshtan, District - Madhubani.
7. Bachchi Devi Wife of Late Tara Nand Jha, Resident of Village - Mailam, Station - Andhratharhi, District - Madhubani.
8. Vinodanand Pratihasta Son of Late Tara Kant Pratihasta, Resident of Village Gurmaha, Police Station - Pandaul, District - Madhubani.
9. Devi Nath Singh Thakur Son of Late Shyama Nath Singh Thakur, Resident of Village - Bhaur, Police Station - Pandaul, District - Madhubani.
10. Mamta Nand Pathak Son of Late Radha Kant Pathak, Resident of Village - Bhaur, Police Station - Pandaul, District-Madhubani.
11. Rudra Nath Singh Thakur Son of Late Radhunath Singh Thakur, Resident of Village - Bhaur, Police Station - Pandaul, District - Madhubani.
12. Hrishikesh Jha Son of Late Sita Ram Jha, Resident of Village Chikna, Police Station - Ghoghardiha, District - Madhubani.
13. Mina Devi Wife of Late Bhagwan Jha, Resident of Village - Kachhubi, Police Station - Lakhnaur, District - Madhubani.
14. Mohan Jha Son of Late Baidyanath Jha, Resident of Village Ghoghardiha, Police Station - Ghoghardiha, District - Madhubani.
15. Parmila Devi Wife of Late Sita Nath Jha, Resident of Village - Satlakha, Police Station - Rahika, District - Madhubani.
16. Saraswati Kant Jha Son of Late Srikant Jha, Resident of Village - Mangrauni, Police Station - Rajnagar, 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.Arvind Kumar, AC to GP 23

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. Arvind Kumar,

learned AC to GP 23 for the State.

2. The petitioners have prayed 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)

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