

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1895 of 2015

- 1.1. Pallavi Kumari @ Pallavi Kumari Mishra W/o Ravindra Kumar Mishra, D/o Late Lalbir Mishra, resident of H. No. 2/135 Vibhav Khand Mantri Avash, Gomti Nagar, Lucknow, P.S.-Gomti Nagar, District-Lucknow (U.P.).
- 1.2. Priti Kumari D/o Late Lalbir Mishra, resident of Village-Bina Babhangama, Pachvari Tola, P.S. and District-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
2. The Director, Department Of Secondary Education, Government of Bihar, Patna
3. The District Magistrate Supaul.
4. The Regional Deputy Direction, Education, Koshi Division, Saharsa.
5. The District Education Officer, Supaul.
6. The Bihar School Examination Board, Higher Secondary, Budha Marg, Patna , through its Secretary.
7. The Chairman, Bihar School Examination Board, Higher Secondary, Budha Marg, Patna
8. The District Teachers Appellate Authority, Supaul through its Member.
9. The Principal , Dr. Jagannath Mishra Inter College, Supaul, P.S. District-Supaul.
10. Ginni Kumari D/o Ratnesh Jha resident of village P.S.- Panchgachiya, District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukul Kumar, Advocate Mr. Pratik Kumar Sinha, AC to GA-V Mr. Ajay, Advocate
For Respondent No.9	:	Mr. Arun Kumar Jha, Advocate
For Respondent No.10	:	Mr. Subodh Kumar Jha, Advocate
For B.S.E.B.	:	Mr. Sunil Kumar Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 20-02-2023

The Principal of Dr. Jagannath Mishra Inter College,

Supaul is present. He states that a Demand Draft of a sum of



Rs.1,22,793/- for the period from 2006 to 2011 has now been handed over to the daughters of the deceased original petitioner Punam Choudhary after the order was passed by this Court. However, no explanation has come forward for the non-payment of the said amount for so many years.

2. This Court is satisfied that the amount has been wrongly withheld. Needful, therefore, carrying interest at the rate of 12% *per annum* from the date it was due. The said interest shall be paid by the Principal to the concerned daughters within three months from today.

3. Learned counsel appearing for the State submits that he has instructions from the Director, Secondary Education, Government of Bihar that the amount of grant to the college after 2011 shall be released as early as possible and shall be also disbursed expeditiously.

4. This Court finds that there has been an abnormal delay in the payment of salary and dues of a teacher who has expired during the pendency of this petition. The daughters of the deceased original petitioner are claiming the said amount which is required to be disbursed by the respondent.

5. However, accepting the explanation given by the learned counsel appearing for the State, this Court directs that



the grant must be positively released not only to the petitioners but also to the other teachers of the college expeditiously preferably within three months from today.

6. Considering that the Principal had not released the amount to the deceased petitioner even up to 2011, the Director Secondary Education, Government of Bihar is advised to get the disbursement of the salary amount under the supervision of a senior officer of the State Government who will see to it that the amount is paid to the teachers without any further delay and without causing any further hindrances.

7. The writ petition is, accordingly, disposed of.

8. However, it is made clear that the petitioners would be free to move the appropriate application before this Court if compliance is not made.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.90

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.02.2023
Transmission Date	NA

