

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17967 of 2021

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Sayada Khatun @ Shayada Khatun Wife of Late Usman Miyan, Resident of
Ward No. 08, Village - Sathi, P.S. - Sathi, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Account General, Government of Bihar, Patna.
4. The Collector Cum District Magistrate, Begusarai, Bihar.
5. The District Education Officer, Begusarai.
6. The District Program Officer (Establishment), Begusarai.
7. The District Provident Fund Officer, Begusarai.
8. The District Treasury Officer, Begusarai.
9. The Headmaster, Government Primary School, Shahpur, District -
Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abu Nasar, Adv.
For the Respondent/s : Mr. Kameshwar Kumar (GP-17)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner learned
counsel for the State.

The present application has been filed seeking
direction to make the entire payment of arrears of salary of
deceased husband of petitioner who died in harness on
11.11.2019 while serving as Headmaster of Government
Primary School (*Rajkiya Buniyadi Vidyalaya*), Shahpur, District
Begusarai, the additional prayer was to assure the payment of
death-cum-retiral benefits of petitioner's husband who died in

service including the amount of gratuity, group insurance and earned leave as well as for payment of family pension.

Counsel for the petitioner submits that husband of petitioner was appointed vide memo no.2339 dated 25.10.1984 by the Director, Adult Education, Bihar. He further submits that petitioner has filed representation before the authorities which is annexed as Annexure-2 before the District Program Officer (Establishment), Begusarai but his application has not been disposed off till date.

Counsel for the State submits that counter affidavit has been filed, in which, it has been admitted that claim of petitioner filed through representation has not been considered as yet.

In the present facts and circumstances, petitioner is directed to file fresh representation raising all the points which she has raised in the writ application and shall move the same before the District Program Officer (Establishment), Begusarai who after considering all the points on facts and law shall decide the representation within a period of 4 weeks from the date of filing of fresh representation before him.

If petitioner is found entitled for the benefits which she is demanding, the payment shall be assured within 6 weeks

thereafter, if petitioner is not found payable, then in that case a detail and reasoned order must be passed.

Thereafter, the petitioner shall be at liberty to raise her grievances before appropriate forum.

With this direction, the writ application is hereby disposed off.

(Dr. Anshuman, J.)

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