

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2832 of 2024

1. Madana Nand Jha Son of Hari Nandan Jha, Resident of Village - Rashidpur, P.S. Khajauli, District - Madhubani.
2. Mina Devi, wife of Late Mahendra Jha, resident of Village - Rashidpur, P.S. Khajauli, District - Madhubani.
3. Devi Shrimati Sharda Thakur @ Sharda Thakur wife of Hari Kant Thakur, resident of Village - Arghawa, P.S. - Basopatti, District - Madhubani.
4. Parmanand Jha, son of Late Saryug Jha, resident of Village - Biduliya, P.S. - Andhara Thadhi, District - Madhubani.
5. Tript Narayan Jha, son of Late Ramchandra Jha, resident of Village - Biduliya, P.S. - Andhara Thadhi, District - Madhubani.
6. Harinarayan Jha, son of Late Devnandan Jha, resident of Village - Biduliya, P.S. Andhara Thadhi, District - Madhubani.
7. Raj Kumar Jha, son of Vindeshwar Jha, resident of Village - Biduliya, P.S. - Andhara Thadhi, District - Madhubani.
8. Aanand Kumar Jha, son of Sataydev Jha, resident of Village - Gajhara, P.S. Ladaniya, District - Madhubani.
9. Madhusudan Jha son of Late Chinta Jha, resident of Village - Gonauli, P.S. - Andhara Thadhi, District - Madhubani.
10. Sadhu Sharan Roy, son of Suva Lal Roy, resident of Village - Mangrauna, P.S. - Andhara Thadhi, District - Madhubani.
11. Mahendra Jha, son of Sukhdev Jha, resident of Village - Pastan Navtoli, P.S. - Andhara Thadhi, District - Madhubani.
12. Govind Mishra, son of Arjun Mishra, resident of Village Pastan Navtoli, P.S. Andhara Thadhi, District - Madhubani.
13. Sagun Lal Chaudhary, son of Bhajji Chaudhary, resident of Village Pastan Navtoli, P.S.- Andhara Thadhi, District - Madhubani.
14. Mahesh Mishra, son of Navkant Mishra, resident of Village - Pastan Navtoli, P.S. - Andhara Thadhi, District - Madhubani.
15. Man Mohan Chaudhary, son of Bholanath Choudhary, resident of Village - Sahuriya, P.S.- Andhara Thadhi, District - Madhubani.
16. Hari Shankar Chaudhary, S/o Late Rama Kant Choudhary resident of Village - Sahuriya, P.S. - Andhara Thadhi, District - Madhubani.
17. Moti Devi, wife of Late Hare Ram Jha, resident of Village - Sahuriya, P.S. Andhara Thadhi, District - Madhubani.
18. Hiradai Devi @ Hira Devi wife of Late Balkant Chaudhary, resident of Village - Sahuriya, P.S. - Andhara Thadhi, District - Madhubani.
19. Surendra Chaudhary, son of Kapleshwar Chaudhary, resident of Village - Sahuriya, P.S.- Andhara Thadhi, District - Madhubani.
20. Babu Saheb Chaudhary, son of Vinodanand Chaudhary, resident of Village - Sahuriya, P.S. - Andhara Thadhi, District - Madhubani.



21. Dayanand Chaudhary, son of Chit Narayan Chaudhary, resident of Village - Sahuriya, P.S.- Andhara Thadhi, District - Madhubani.
22. Satish Chandra Jha, son of Tulakant Jha, resident of Village Bardaha, P.S. - Babubarhi, District - Madhubani.
23. Sudhira Devi, wife of Gangadhar Chaudhary, resident of Village - Sahuriya, P.S. - Andhara Thadhi, District - Madhubani.
24. Kalikant Jha, son of Rameshwar Jha, resident of Village - Gangduar, P.S. Andhara Thadhi, District - Madhubani.
25. Bhagwan Jha, son of Madhukant Jha, resident of Village - Mahrail, P.S. - Rudrapur, District - Madhubani.
26. Dilip Kumar Chaudhary, son of Sudheshwar Chaudhary, resident of Village- Januriya, P.S Andhara Thadhi, District- Madhubani.
27. Alakhdev Roy Son of Ram Lakhan Roy, resident of Village- Mangrauna, P.S.- Andhara Thadhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar Through the Principal Secretary, Department of Education Government of Bihar, Patna
2. The Special Director, Secondary Education, Government of Bihar, Patna.
3. The District Magistrate, Madhubani, District Madhubani.
4. The District Education Officer-Cum-District Planning Officer, Madhubani, District - Madhubani.
5. The District Provident Fund Officer, Madhubani, District - Madhubani.
6. The District Programme Officer, Madhubani, District - Madhubani.
7. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
8. The Secretary Bihar Sanskrit Shiksha Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Jha, Advocate
For the Respondent/s	:	Mrs. Divya Verma, AC to AAG-3
For the Board	:	Mr. Chandra Shekhar Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 05-08-2024

Heard the parties.

2. The petitioners were teachers who worked either on



the post of Assistant Teachers or on the post of Head master in their respective school, except petitioner nos. 2, 17, 18 and 23, whose husbands were teachers and they being legal heirs approached before this Court alongwith others for grant of provident fund amounts which is due in the form of dearness allowance and salary deposited in the general provident fund account of the petitioners along with statutory interest till the date of its payment for which the petitioners are legally entitled.

3. At the outset, learned Advocate for the petitioner contended that similarly situated persons approached before this Court in CWJC No. 11156 of 2017 and the same came to be disposed of with a direction to the District Programme Officer, (Establishment) as follows:

“5. The District Programme Officer (Establishment) must ensure that specific direction has been given to the District Education Officer to provide all the necessary deduction statement to the authority concern. In case the District Programme Officer (Establishment) finds it proper to get assistance of the District Education Officer in that case, he may proceed to call the District Education Officer with all the documents relating to the individual petitioners. The representation of the petitioners must be disposed of by ensuring payment on account of General Provident Fund within a period of six weeks.”

4. When the direction of this Court has not been complied; in such circumstances, the petitioners of the said writ



petition left with no option but to file a contempt petition. Finally the payment has been made in their favour. The case of the petitioner is identical to the petitioners of CWJC No. 11156 of 2017, is the contention of the learned Advocate for the petitioner.

5. Mrs. Verma, learned Advocate for the State fairly submitted that a counter affidavit has been filed on behalf of the respondent nos. 1 and 2. The Principal Secretary, Education Department, Government of Bihar vide its letter no. 93 dated 28.01.2021 had already directed all the District Education Officers (Establishment) to ensure payment of amount of General Provident Fund to the employees of Sanskrit Schools through CFMS and to submit a report. The Additional Chief Secretary, Education Department, Bihar, Patna also sent a D.O. Letter No. 399 dated 25.03.2021 to the District Education Officer, Madhubani to ensure admissible claim of the teaching and non-teaching employees of Sanskrit Schools and to make available the compliance report forthwith. The copy of both the letters have been placed on record.

6. In view of the submissions advanced on behalf of the respective parties, the present writ petition stands disposed of in terms of the order dated 15.05.2019 passed in CWJC No.



11156 of 2017.

7. The petitioners are at liberty to file their respective representation before the District Education Officer, Madhubani with all the details, who shall consider the claim of each of the petitioners and dispose of the same. If the claim of the petitioners find favour, necessary payment shall be made after calculating interest on per with the other similarly situated persons preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.08.2024
Transmission Date	NA

