

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9013 of 2024

1. Hari Mohan Jha Son of Battuk Jha Resident of Village - Mahrail, P.S. - Rudrapur. District Madhubani.
2. Indrakala Devi wife of Vinod Narayan Jha Resident of Village- Harri, P.S.- Andhara-Thadhi, District - Madhubani.
3. Ghanshyam Jha son of Swarup Lal Jha Resident of Village- Harri, P.S.- Andhara-Thadhi, District - Madhubani.
4. Sanjay Kumar son of Madanand Thakur Resident of Village - Sharvshima, P.S. - Bhairavashthan, District - Madhubani.
5. Ram Gulam Jha son of Suwalal Jha Resident of Village- Harri, P.S. - Andhara- Thadhi, District - Madhubani.
6. Gayadhar Jha Son of Ghuran Jha Resident of Village - Mailam, P.S. - Andhara-Thadhi, District-Madhubani.
7. Kedarnath Jha son of Nageshvar Jha Resident of Chiyatola Tatuvar, P.S. Manigachhi, District - Darbhanga.
8. Raj Narayan Jha son of Kamal Narayan Jha Resident of Village Harri, P.S. - Andhara-Thadhi, District - Madhubani.
9. Bhavendra Jha son of Tirpit Jha Resident of Village - Pacharhi, P.S. - Pandaul, District - Madhubani.
10. Jayaanti Devi wife of Shravan Kumar Jha Resident of Village Mailam, P.S. - Andhara-Thadhi, District - Madhubani.
11. Dinesh Kumar Mishra son of Bechan Mishra Resident of Village Sarishawpahi, P.S. - Pandaul, District - Madhubani.
12. Shailendra Mohan Jha son of Kamla Kant Jha Resident of Village- Mahrail, P.S.- Rudrapur, District - Madhubani.
13. Jay Kumar Jha son of Rudranath Jha Resident of Village- Mahrail, P.S.- Rudrapur, District - Madhubani.
14. Rekha Devi wife of Chandra Mohan Jha Resident of Village- Hanuman Nagar, P.S. - Pandaul, District - Madhubani.
15. Ghurain Devi wife of Shyam Sundar Jha Resident of Village Mahrail, P.S. - Rudrapur, District - Madhubani.
16. Bhabanath Jha son of Jugeshwar Jha Resident of Village Harri, P.S. Andhara-Thadhi, District - Madhubani.
17. Sachchi Devi wife of Mohan Jha Resident of Village - Mahrail, P.S. - Rudrapur, District - Madhubani.
18. Ganesh Jha son of Umakant Jha Resident of Village - Barha, P.S. Babubarhi, District - Madhubani.
19. Shonelal Thakur son of Sataram Thakur Resident of Village- Mahuani, P.S. Babubarhi, District - Madhubani.
20. Mina Devi wife of Jitendra Jha Resident of Village- Mahuahi, P.S. Babubarhi, District - Madhubani.



21. Shital Nath Jha son of Ugranath Jha Resident of Village- Mahuahi, P.S.- Babubarhi, District - Madhubani.
22. Ramlakhan Singh son of SubalaL Resident of Village Jabdi, P.S.- Babubarhi, District - Madhubani.
23. Maheshwar Thakur son of Sundar Thakur Resident of Village- Jabadi, P.S.- Babubarhi, District - Madhubani.
24. Vishwnath Rai son of Rameshwar Rai Resident of Village- Mishraulia, P.S. -Babubarhi, District - Madhubani.
25. Ram Briksa Sahu son of Prabhu Lal Sahu Resident of Village Tihula, P.S. - Babubarhi, District - Madhubani.
26. Ramratan Sahu son of Shanti Sahu Resident of Village- Tirhula, P.S. Babubarhi, District - Madhubani.
27. Vishwanath SahU son of Manohar Sahu Resident of Village Tirhuta, P.S. Babubarhi, District Madhubani.
28. Baidyanath Ray son of Sarup Ray esident of Village- Mahrajpur, P.S. Babubarhi, District Madhubani.
29. Vishwanth Yadav son of Ram Lakhan Yadav Resident of Village- Dedhua, P.S. Andhara-Thadhi, District - Madhubani.
30. Rajdev Yadav, son of Tirpit Yadav Resident of Village- Dedhua, P.S. - Andhara- Thadhi, District - Madhubani.
31. Parshuram Yadav son of Boudhu Yadav Resident of Village- Debhua, P.S.- Andhara-Thadhi, District - Madhubani.
32. Mithilanand Thakur son of Hari Vansh Thakur Resident of Village- Bardaha, P.S. - Babubarhi, District - Madhubani.
33. Raj Kumar Yadav son of Tirpit Yadav Resident of Village-Dedhua, P.S.- Andhara-Thadhi, District - Madhubani.
34. Parmanand Kumar son of Ramnandan Yadav Resident of Village- Dedhua, P.S.-Andhara-Thadhi, District - Madhubani.
35. Pradeep Kumar Jha son of Anant Jha Resident of Village -Bhithi, P.S. Pandaul, District- Madhubani.
36. Tarun Kumar Jha son of Chandra Kant Jha Resident of Village- Gonauli, P.S.-Andhara-Thadhi, District - Madhubani.
37. Mohan Kumar Jha son of Indrakant Jha Resident of Village- Gonauli, P.S.- Andhara-Thadhi, District - Madhubani.
38. Amira Devi wife of Shiv Kant Jha Resident of Village- Gonauli, P.S.- Andhara- Thadhi,
39. Abhash Chandra Abhay son of Haribansh Singh Resident of Village- Pastan, P.S. - Andhara-Thadhi, District - Madhubani.
40. Uma Shankar Prasad son of Birbal Prasad Singh Resident of Village- Madana, P.S. - Andhara-Thadhi, District - Madhubani.
41. Shyam Narayan Mishra Son of Chandeshwar Mishra Resident of Village- Parsha, P.S. - Babubarhi, District - Madhubani.



42. Amira Devi Wife of Jayram Jha Resident of Village- Thadhi, P.S.- Andhara-Thadhi, District- Madhubani (retired Assistant Teacher).
43. Amira Devi Wife of Jayram Jha Resident of Village- Thadhi, P.S.- Andhara-Thadhi, District - Madhubani.
44. Budhiyari Devi Wife of Trilok Nath Jha Resident of Village- Thadhi, P.S.- Andhara-Thadhi, District - Madhubani.
45. Raju Jha Wife of Durganand Jha Resident of Village- Jalsain, 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 and some of them are their legal heirs, approached before this Court 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

