

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8912 of 2024

1. Jiveshwar Jha Son of Late Gangadhar Jha, Resident of Village- Gajhara, P.S.- Ladaniya, District - Madhubani.
2. Indira Devi, Wife of Namo Narayan Jha, Resident of Village- Jhanjharpur, P.S.- Jhanjharpur, District - Madhubani.
3. Keshav Jha, Son of Trilok Nath Jha, Resident of Village- Garatola, P.S.- Gonghardiha, District- Madhubani.
4. Ramawatar Mahto, Son of Late Saryug Mahto Resident of Village - Rampur Shiva, P.S. Andhara-Thadhi, District - Madhubani.
5. Kamlesh Jha, Son of Chiranji Jha, Resident of Village Sahuriya, P.S. Andhara- Thadhi, District - Madhubani.
6. Satanjiv Jha, Son of Late Mahesh Jha, Resident of Village- Gajhara, P.S.- Ladaniya, District - Madhubani.
7. Krishana Mohan Mishra, Son of Late Jay Balav Mishra, Resident of Village- Chunni, P.S.- Madhepur, District - Madhubani.
8. Maheshwari Nandan Singh, Son of Ram Nandan Singh, Resident of Village - Lakhnaur, P.S.- Lakhnaur, District - Madhubani.
9. Suraya Mohan Jha, Son of Late Bachcha Jha, Resident of Village- Khojpur, P.S.- Babubarhi, District - Madhubani.
10. Aditay Narayan Jha, Son of Late Jay Narayan Jha, Resident of Village Andhara- Thadhi, P.S. - Andhara-Thadhi, District - Madhubani.
11. Vinay Kumar Jha, Son of Shyam Sundar Jha, Resident of Village- Khojpur, P.S. - Babubarhi, District - Madhubani.
12. Asha Nath Jha, Wife of Late Jagdish Jha, Resident of Village- Gajhara, P.S.- Ladaniya, District - Madhubani.
13. Ramashankar Mehta, Son of Late Bhola Prasad Mehta, Resident of Village- Bhupatti, P.S.- Babubarhi, District - Madhubani.
14. Shiv Shankar Mehta, Son of Late Ramautar Mehta, Resident of Village - Bhupatti, P.S. - Babubarhi, District - Madhubani.
15. Lekhani Devi, Wife of Late Shiv Chandra Mishra, Resident of Village - Khojpur, P.S. - Babubarhi, District - Madhubani.
16. Amrika Devi, Wife of Babu Saheb Jha, Resident of Village - Karnpur, P.S.- Rudrapur, District - Madhubani.
17. Gopal Jha, Son of Late Ramdev Jha, Resident of Village- Shankarpur, P.S.- Bhairavashthan, District - Madhubani.
18. Tript Narayan Thakur, Son of Late Uttim Lal Thakur, Resident of Village- Shankarpur, P.S. - Bhairavashthan, District - Madhubani.
19. Sushil Sahu, Son of Late Jangal Sah, Resident of Village- Brahampur, P.S.- Phulparash, District-Madhubani.
20. Munni Devi, Prabhu Narayan Sahu, Resident of Village- Brahampur, P.S. - Phulparash, District - Madhubani.



21. Binay Kumar Jha, Son of Gaurishankar Jha, Resident of Village - Shankarpur, P.S. - Bhairavashthan, District - Madhubani.
22. Dhairay Narayan Jha, Son of Shivkant Jha, Resident of Village - Sonmatti, Pathrahi, P.S. - Babubarhi, District - Madhubani.
23. Balbhadra Jha, Son of Khoj Narayan Jha, Resident of Village Sonmatti Pathrahi, P.S. - Babubarhi, District - Madhubani.
24. Amiri Yadav, Son of Vidhanand Yadav, Resident of Village- Bauraha, P.S. - Laukaha, District - Madhubani.
25. Kulanand Mishra, Son of Thakai Mishra, Resident of Village- Sonmatti Pathrahi, P.S.- Babubarhi, District - Madhubani.
26. Jitendra Kumar Nirala, Son of Rameshwar Nayak, Resident of Village- Birpur Harpatti, P.S.- Ladaniya, District - Madhubani.
27. Raj Kumar Nayak, Son of Yogeshwar Nayak, Resident of Village- Birpur Harpatti, P.S. Ladaniya, District - Madhubani.
28. Ram Vilash Roy, Son of Mahendra Roy, Resident of Village - Birpur Harpatti, P.S. - Ladaniya, District - Madhubani.
29. Maya Devi, Wife of Sataydev Pandit, Resident of Village- Lalmaniya, P.S.- Lalmaniyan, District - Madhubani.
30. Kagati Devi, Wife of Late Ramavatar Ray, Resident of Village- Khajedih Thadhi, P.S.-Ladaniya, District - Madhubani.
31. Shivnath Gosai, Son of Bilat Gosai, Resident of Village - Belhigarha, P.S. - Ladaniya, District- Madhubani.
32. Shiv Kumar Mahto, Son of Ram Khelawan Mahto, Resident of Village- Madhura Harbhanga, P.S. - Lakhnaur, District - Madhubani.
33. Dineshwar Mahto, Son of Late Soman Mahto, Resident of Village - Madhura Deep, P.S. - Lakhnaur, District - Madhubani.
34. Ram Awatar Mahto, Son of Ninai Mahto, Resident of Village- Harbhanga, P.S. Lakhnaur, District - Madhubani.
35. Surendra Prasad, Son of Saryug Mahto, Resident of Village - Bela, P.S. - Lakhnaur, District - Madhubani.
36. Arjun Prasad Singh, Son of Ram Khelawan Mahto, Resident of Village- Deep, P.S. - Lakhnaur, District - Madhubani.
37. Radhiya Devi, Wife of Jageshwar Mahto, Resident of Village- Rupauli, P.S. Madhepur, District - Madhubani.
38. Vivekanand Prasad, Son of Hari Narayan Prasad, Resident of Village- Garha, P.S. Ladaniya, District - Madhubani.
39. Ramrati Devi, Wife of Late Ganesh Yadav, resident of Village- Singrahi, P.S. - Ladaniya, District - Madhubani.
40. Rajeshwar Prasad Singh, Son of Basudeo Prasad Singh, Resident of Village- Ararariya Sangram, P.S. - Rudrapur, District - Madhubani.
41. Brajeshwar Sharan Brajesh, Son of Late Kashi Prasad Sharma, Resident of Village- Kanail, P.S. Rahika, District - Madhubani.
42. Harikant Jha, Son of Late Prabodh Narayan Jha, Resident of Village-



Mangrauni, P.S. - Rajnagar, District - Madhubani.

- 43. Jitendra Narayan Mishra, Son of Late Laxmikant Mishra, Resident of Village- Najirpur, P.S. Rahika, District - Madhubani.
- 44. Suraj Yadav, Son of Chaudhary Yadav, Resident of Village - Mangrauni, P.S. - Rajnagar, District - Madhubani.
- 45. Mohan Jha, Son of Kameshwar Jha, Resident of Village Mangrauni, P.S. Rajnagar, District - Madhubani.
- 46. Sanjeev Kumar Jha, Son of Late Mahakant Jha, Resident of Village- Mangrauni, P.S. Rajnagar, District - Madhubani.
- 47. Mina Devi, Wife of Late Gunakar Jha, Resident of Village - Thadhi, P.S. - Andhara- Thadhi, District - Madhubani.
- 48. Satish Chandra Pathak, Son of Late Turant Pathak, Resident of Village Naruar, P.S. - Bhairavashthan, District - Madhubani.
- 49. Meena Devi, Wife of Late Devendra Jha, Resident of Village- Thadhi, P.S.- Andhara, 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

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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

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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 schools 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

