

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2518 of 2021

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Anjali Banerjee, Daughter of Late Hirendra Nath Banerjee, Resident of at
General Hat, Ward No. 15, P.O. and P.S. Bihariganj, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna.
3. The District Education Officer, Madhepura.
4. The District Programme Officer (Secondary), Madhepura.
5. The In-Charge Headmaster, Vijaya Smarak Project Girls High School, Alamnagar, P.O. and P.S. - Alamnagar, District - Madhepura.
6. The Accountant General Bihar, Beerchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh, Adv. Mr. Shyama Kant Singh, Adv.
For the Respondent/s	:	Mr. Jitendra Kumar Roy-1, SC-13

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

9 01-02-2024 Heard Mr. Bipin Bihari Singh, learned counsel for

the petitioner and Mr. Jitendra Kumar Roy, learned counsel for

the State.

2. The District Programme Officer (Establishment),

Madhepura is also present.

3. The petitioner by invoking the prerogative writ

jurisdiction of this Court, has filed the present writ petition

seeking a direction upon the respondent authorities to ensure

payment of all the pre-retiral dues, including the arrears of

salary which remain unpaid and also post-retiral dues,



including Pension, Gratuity, Provident Fund, L.I.C. and other emoluments.

4. It is submitted on behalf of the respondent State Authorities that pursuant to the letter issued by the District Education Officer, Madhepura, the In-charge Headmaster, Vijay Smark Project Kanya Uchch Vidyalay has submitted the necessary documents, on the basis of which, approval has been made for payment of salary etc. from 09.02.1991 to December, 2018. Thereafter, for the payment of arrears, calculation of salary of the petitioner from January, 1991 till December 2012 has been made and the District Programme Officer (Establishment) Madhepura has granted sanction for payment of amount to the tune of Rs. 18,92,374/- and the same has been communicated to the Treasury Officer, Madhepura for payment.

5. In compliance with the direction of this Court, the District Programme Officer (Establishment) Madhepura is present in the Court and he undertakes that the aforesaid payment shall be made within a period of two weeks. He further submits that the entire admissible retiral benefit(s) shall also be accorded to the petitioner, preferably within a period of eight weeks.

6. In view of the undertaking given before this Court,



the present writ petition stands disposed of with a direction to the concerned respondents to ensure payment of all the admissible retiral benefit(s)/ other dues of the petitioner within a period of eight weeks from today.

7. Needless to observe that the petitioner superannuated on 31.10.2019 and till date her claim has not been settled, any defiance of the undertaking given before this Court shall be dealt with sternly and, in case of failure, the erring official(s) shall be responsible to ensure interest @8% over the delayed payment.

(Harish Kumar, J)

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