

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11815 of 2024

1. Jay Prakash Thakur Son of Shree Narayan Thakur, Resident of Village- Belmohan, P.S.- Phulparash, District- Madhubani.
2. Indira Devi, Wife of Late Binoda Nand Mishra, Resident of Village- Narpatnagar, P.S.- Sakri, District- Madhubani.
3. Nitaya Nand Jha, Son of Radha Kant Jha, Resident of Village- Viduliya, P.S.- Andhara- Thadhi, District- Madhubani.
4. Ganga Devi, Wief of Gyanand Jha, Resident of Village- Harinagar, RAghuni Dehat, P.S.- Rajnagar, District- Madhubani.
5. Nita Devi, Wife of Late Manikant Jha, Resident of Village- Dulha, P.S.- Bisfi, District- Madhubani.
6. Shohan Mishra, Son of Late Sharang Mishra, Resident of Village- Thadhi, P.S.- Andhara- Thadhi, District- Madhubani.
7. Chandra Nath Jha, Son of Late Bhav Nath Jha, Resident of Village- Pahi Tola Sarishopahi, P.S.- Pandaul, District- Madhubani.
8. Sita Ram Jha, Son of Raghuram Jha, Resident of Village- Pahi Sarisho pahi, P.S.- Pandaul, District- Madhubani.
9. Arun Kumar Jha, Son of Kunjnath Jha, Resident of Village- Hati Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
10. Amarnath Jha, Son of Late Bishwanth Jha, Resident of Village- Pahi Tola Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
11. Amarnath Jha, Son of Late Bishwanth Jha, Resident of Village- Pahi Tola Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
12. Shaktinath Jha, Son of Late Niti Nath Jha, Resident of Village- Pahi Tola Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
13. Gaurishankar Jha, Son of Late Yognath Jha, Resident of Village- Pahi Tola Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
14. Mahendra Pathak, Son of Late Ravinath Pathak, Resident of Village- Hati Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
15. Rakha Devi, Wife of Amarnath Jha, Resident of Village- Pahi Tola Sarisho Pahi, P.S.- Pandaul, District- Madhubani.
16. Chandra Nath Jha, Son of Late Bhav Nath Jha, Resident of Village- Pahi Tola Sarisho Pahi, P.S.- Pandaul, District- Madhubani. (Retire Assistant Teacher).
17. Yogendra Mishra, Son of Late Jivnandan Mishra, Resident of Village- Dabhari (Bhaur), P.S.- Pandaul, District- Madhubani.
18. Shiv Shankar Thakur, Son of Late Lakhan Thakur, Resident of Village- Lakhnaur, District- Madhubani.
19. Yshodanand Mishra, Son of Chandra Kishor Mishra, Resident of Village- Mangrauni, P.S.- Rajnagar, District- Madhubani.
20. Rakesh Jha, Son of Naresh Jha, Resident of Village- Rahika, P.S.- Rahika, District- Madhubani.



- 21. Kashi Nath Thakur, Son of Vaid Nath Thakur, Resident of Village- Mangrauni, P.S.- Rajnagar, District- Madhubani.
- 22. Shambhu Nath Jha, Son of Dhairya Narayan Jha, Resident of Village- Singiaun, P.S.- Rajnagar, District- Madhubani.
- 23. Bhavnath Mishra, Son of Late Kala Nath Mishra, Resident of Village- Pilakhwar, P.S.- Rajnagar, District- Madhubani.
- 24. Shiv Kumar Yadav, Son of Manga Ram Yadav, Resident of Village- Birpur Bhith Bhagwanpur, P.S.- Madhepur, District- Madhubani.
- 25. Chandrakala Devi, Wife of Late Prayag Jha, Resident of Village- Satghara, P.S.- Babubarhi, District- Madhubani.
- 26. Umesh Chandra Mishra, Son of Late Suraymani Mishra, Resident of Village- Satghara, P.S.- Babubari, District- Madhubani.
- 27. Heera Devi, Wife of Late Sufal Chaudhary, Resident of Village- Sahuriya, 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

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Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha, Adv.
For the State	:	Mr. Madhaw Prasad Yadaw, GP 23
		Mr. Arvind Kumar, AC to GP 23
For the BSSB	:	Mr. S.S. Sudndaram, Adv.
		Mr. Chandra Shekhar Kr. Singh, Adv.
		Mr. Ankit, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-10-2024

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, have approached this Court for grant of provident fund amount 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. Adverting to the facts narrated in the writ petition, learned Advocate for the petitioners has drawn the attention of this Court to the order passed by this Court in identical matter being CWJC no. 9013 of 2024, whereby this Court having considered the rival contention of the parties had disposed off the writ petition with a liberty to the petitioners to file respective representation before the District Education Officer, Madhubani with all details. On filing of the representation, the District Education Officer, Madhubani was directed to consider the claim of each of the petitioners and dispose off the same. If the claim of the petitioners finds favour, necessary payment was to be made, after calculating interest at par with the other similarly circumstanced persons, preferably within a period of eight weeks.

4. Learned Advocate for the State contended that there



are altogether 27 petitioners and they have separate cause of action; thus they should file their separate writ petition with the specific averments and the facts.

5. Considering the fact that the claim of the petitioners are required to be considered by the District Education Officer, Madhubani, who is the competent authority, this Court deems it apt and proper to dispose off the writ petition in similar terms as has been passed in CWJC No. 9013 of 2024 vide order dated 05.08.2024.

6. The writ petition stands disposed off.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.10.2024
Transmission Date	

