

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11835 of 2024

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Saroj Kumar Choudhary, S/o Late Nityanand Choudhary, R/o Village+P.O.
Kothiya, P.S. Bhairavsthan, via-Jhanjharpur, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, District-Madhubani.
4. The District Programme Officer (Establishment), District-Madhubani.
5. The District Education Officer, District-Madhubani.
6. The District Provident Fund Officer, District-Madhubani.
7. The Accountant General (A&E), Bihar, Patna.
8. The Deputy Accountant General (Pension & Fund), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar Choudhary, Adv.
For the Respondent/s	:	Mr. Standing Counsel 22
For the AG, Bihar	:	Ms. Ritika Rani, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-04-2025

Heard the parties.

2. The petitioner has approached this Court seeking a direction upon the respondent(s) to ensure payment of all the retiral benefits and other dues.

3. It is the contention of the petitioner that though the petitioner superannuated long back on 31.12.2022 from the post of Headmaster, Utkramit Madhya Vidyalaya, Hanuman Nagar, Madhubani, but he has not been accorded his legitimate dues and once the petitioner has approached this Court by filing the present writ petition, he has been allowed all his substantive



retiral and other dues much belatedly; hence, in any circumstances, the petitioner is entitled to get interest over the delayed payment.

4. Learned Advocate for the State, referring to the averments made in the counter affidavit has submitted that all the retiral benefits and other dues have been paid to the petitioner and thus no grievance of the petitioner subsists.

5. Considering the averments made in the counter affidavit and the submissions advanced by the learned Advocate for the respective parties, the present writ petition stands disposed off.

6. However, the petitioner shall be at liberty to approach before the authorities concerned by filing a fresh representation, in case there is laches on the part of the authorities concerned in making payment of the retiral benefits.

7. In case, such a representation is filed preferably within a period of four weeks' from today, the respondent authorities shall be obliged to consider the claim of the petitioner for interest over the delayed payment in the light of the judgments rendered by the Apex Court in **Vijay L. Mehrotra vs State of U.P. & Ors. [(2001) 9 SCC 687]**, **State of Kerela & Ors. vs. M. Padmanabhan Nair [(1985) 1 SCC**



429] and Union of India vs. Justice S.S. Sandhawalia [(1994)
2 PLJR SC 48] within a further period of twelve weeks.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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