

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15975 of 2023

1. Dhirendra Narayan Jha Son of Raj Dev Jha Resident of Village- Chamunda Nagar, Parhi, District- Madhubani.
2. Rajendra Mahto Son of Late Dular Chandra Mahto Resident of Village- Parmeshra, Ward No. 08, P.O.- Rupauli, P.S.- Rupauli, District- Madhubani.
3. Ram Lakhan Mahto Son of Harish Chandra Mahto Resident of Village- Kajmalthur, Ward No. 09, P.O.- Harbhanga, P.S. Laukahi, District- Madhubani.
4. Jay Prakash Jha Son of Chandrakant Jha Resident of Village- Tamuria, P.S.- Lakhnaur, Panchayat Tamuria, District- Madhubani.
5. Radha Kant Mishra Son of Umakant Mishra Resident of Village- Tamuria, P.S.- Lakhnaur, Panchayat Tamuria, District- Madhubani.
6. Bhairab Mishra Son of Bhagawan Das Resident of Village- Tamuria, P.S.- Lakhnaur, Panchayat Tamuria, District- Madhubani.
7. Kunti Devi Wife of Chandrabhanu Jha Resident of Village- Sagram, P.S.- Rahua, District- Madhubani.
8. Chandrakant Mishra @ C.K. Mishra Son of Mahadev Mishra Resident of Village- Maibi, District- Madhubani.
9. Triveni Devi Wife of Ramanand Jha Resident of Village- Tamuria, P.O.- Lakhnaur, Panchayat Tamuria, P.S.- Lakhnaur, District- Madhubani.
10. Indra Narayan Thakur Son of Late Dayakant Thakur Resident of Village- Tamuria, P.O.- Lakhnaur, Panchayat Tamuria P.S.- Lakhnaur, District- Madhubani.
11. Yugal Kishore Jha Son of Anirudh Jha Village- Rahua, P.S.- Rahua, District- Madhubani.
12. Arun Kumar Jha Son of Ganga Prasad Jha Resident of Village- Rahua, P.O. and P.S.- Rahua, District- Madhubani.
13. Mahesh Kant Jha Son of Guran Jha Resident of Village- Rahua, Ward No. 02, P.S.- Rahua, District- Madhubani.
14. Uday Kant Jha Son of Rasbihari Jha Resident of Village- Rahua, P.O.- Rahua Sangram, P.S.- Rahua, District- Madhubani.
15. Pramod Kumar Mishra Son of Tej Narayan Mishra Resident of Village- Rahua, P.O.- Rahua Sangram, P.S.- Rahua, District- Madhubani.
16. Harishankar Thakur Son of Nirbhushana Thakur Resident of Village-



Belauncha, P.S.- Madhepur, District- Madhubani.

17. Ramdev Prasad Son of Nandlal Prasad Resident of Village- Pure Belauncha, P.S.- Madhepur, District- Madhubani.
18. Shyam Jha Son of Tilanand Jha Resident of Village and P.O.- Bheja, P.S.- Bheja, District- Madhubani.
19. Motikant Mishra Son of Anand Mishra Resident of Village and P.O.- Bheja, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary Department of Education, Government of Bihar, Patna.
3. The Special Director, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer-cum-District Planning Officer, Madhubani.
5. The District Programme Officer, Madhubani.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vikash Kumar Jha, Advocate
For the State	:	Mr.Madanjeet Kumar, GP 20
For BSSB	:	Mr. Satyam Shivam Sundram, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 20-03-2025

Heard Mr. Vikash Kumar Jha, learned Advocate for the petitioners and learned Advocates for the State as well as the Bihar Sanskrit Shiksha Board.

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 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. Learned Advocate for the State fairly submitted that a counter affidavit has been filed on behalf of the respondent no. 5. 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)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.03.2025
Transmission Date	

