

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17660 of 2024

1. Prabhakar Jha Son of Krishankant Jha, resident of village- Manpaur, P.S. - Banipatti, District- Madhubani.
2. Ghuran Jha, Son of Puniyanand Jha, resident of village- Manpaur, P.S. - Benipatti, District- Madhubani.
3. Shobhit Kamat, Son of Bauelal Kamat, resident of Village- Manpaur, P.S. - Benipatti, District- Madhubani.
4. Urmila Devi, Wife of Late Shaktinath Jha, resident of village- Gangauli, P.S. - Pandaul, District- Madhubani.
5. Ganganath Jha, Son of Shobhanath Jha, resident of village- Raje-Chakraje, P.S.- Manigachhi, District- Madhubani.
6. Balakant Jha, Son of Jeebachh Jha, resident of village- Mailam, P.S. - Andhara- Thadhi, District- Madhubani.
7. Nagendra Jha, Son of Shreekant Jha, resident of Village - Gamahriya- Manpaur, P.S. - Benipatti, District- Madhubani.
8. Nageshwar Mishra, Son of Amiri Mishra, resident of village- Akaur, P.S. - Benipatti, District- Madhubani.
9. Dharm Kant Jha, Son of Balbodh Jha, resident of village- Depura, P.S. - Benipatti, District- Madhubani.
10. Sonjhari Devi, Wife of Jaynath Thakur, resident of village- Adhwari, P.S. Benipatti, District- Madhubani.
11. Sudarshan Jha, Son of Jaykrishan Jha, resident of village- Gamahriya- Manpaur, P.S. - Benipatti, District- Madhubani.
12. Meera Jha, Wife of Late Anirudh Jha, resident of Village- Satlakha, P.S. - Rahika, District- Madhubani.
13. Digambar Jha, Son of Late Madhukant Jha, resident of Village- Benipatti, P.S.- Benipatti, District - Madhubani.
14. Rajendra Prasad Mandal, Son of Dukhran Mandal, resident of village- Karmegh, P.S. - Khutauna, District - Madhubani.
15. Asha Devi, Wife of Late Sundarnath Jha, resident of Village- Khojpur, P.S. - Babubarhi, District- Madhubani.
16. Udaygar Devi, Wife of Late Mahendra Jha, resident of Village- Deohar, 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

Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha, Adv.
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG 7
For the BSSB	:	Mr. Satyam Shivam Sundaram, Adv. Mr. Ankit, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-07-2025

Heard the parties.

2. The petitioners before this Court are Assistant Teachers and some of them are their legal heirs of the deceased employee, duly appointed by the Managing Committee of the concerned Schools and approved by the Bihar Sanskrit Shiksha Board.

3. The petitioners, on being aggrieved with the action of the respondents in not extending the payment 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, have approached



this Court by filing the present writ petition.

4. At the outset, learned Advocate for the petitioners contended that similarly situated persons approached 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.”

5. 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 petitioners.

6. 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.

7. 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.

8. 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.

9. The writ petition stands disposed of.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	24 .07.2025
Transmission Date	

