

**(2008) 11 JH CK 0026**

**Jharkhand High Court**

**Case No:** None

Jai Prakash Narayan Sinha

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

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**Date of Decision:** Nov. 14, 2008

**Hon'ble Judges:** Dabbiru Ganeshrao Patnaik, J

**Bench:** Single Bench

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### **Judgement**

@JUDGMENTTAG-ORDER

D.G.R. Patnaik, J.

Learned counsel for the respondent-State submits that since the petitioner was an employee in a minority school which gets grant-in-aid for the disbursement of salary and for meeting other expenses, it is only the Managing Committee of the said school who makes requisition for the financial aid in order to enable the payment of the retiral benefits to the petitioner as well as the arrears of salaries of the petitioner. Learned Counsel suggests that the respondent Nos. 4 and 5 may be jointly directed to place the matter relating to the payment of the petitioner's retiral benefits and arrears of salary before the District Education Officer, Giridih (Respondent No. 3).

2. Learned Counsel for the petitioner informs with reference to an order dated 29.8.2008 passed by this Court in WP (S) No. 3006 of 2008 that considering the fact that there was a dispute between two Managing Committees of the school, the District Education Officer, Giridih was directed to resolve the dispute between the two Managing Committees and to ensure that the current salary of the petitioner in aforesaid writ application is paid along with the arrears of salary without any further delay and a period of three months was given in the respondent No. ; 3 to complete the process. Learned Counsel adds that in spite of the order, up till now, to the best of his knowledge, no positive and definite action has been taken by the respondent No. 3 in the matter and not only the petitioner but several other teachers of the school are being adversely affected by the inaction on the part of the respondent

No. 3.

3. In the light of the above facts and circumstances, the petitioner is directed to file a representation before the respondent No. 3 stating the details of the claim both in respect of arrears of salary and also the other retiral benefits along with a copy of this order. Upon receipt of the representation the respondent No. 3 shall obtain the requisite Information and details regarding the petitioner's claim for arrears of salary and retiral benefits from" the concerned Managing Committee namely the respondent Nos. 4 and 5 and thereafter issue necessary orders for ensuring the payment of the arrears of salary as well as fixing the pension payable to the petitioner and commencing the payment of such pension. This exercise must be carried out by the respondent No. 3 within a period of four months from the receipt of a copy of this order.

4. With the above observations, this writ application is disposed of.