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**(2006) 03 JH CK 0009**

**In the Jharkhand High Court**

**Case No : Writ Petition (S) No. 6231 of 2005**

Mrs. Gitashree Khan and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

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**Date of Decision : 21-03-2006**

**Acts Referred:**

**Citation : (2006) 2 JCR 243**

**Hon'ble Judges : S.J. Mukhopadhaya, J**

**Bench : Single Bench**

**Advocate : Vijay Kr. Gupta, for the Appellant; I. Sen Choudhary, S.C. III, for the Respondent**

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## **Judgement**

S.J. Mukhopadhaya, J.—According to the petitioners they were working as Assistant Teachers in Kshitish Deaf and Dumb School. Doranda, Ranchi and superannuated on 31st March, 2003, 28th February, 2003 and 31st January, 1999 respectively.

2. Their grievance is that though the respondent have paid them the retiral benefits but the arrears of salary and interim Educational Allowance of certain period have not been paid to them.

3. From the pleadings, it appears that 1st and 2nd petitioners have claimed the benefit for the period from November, 1998 to October, 2000 whereas the 3rd petitioner has claimed the benefit for the period from November 1998 to January, 1999.

4. The 3rd respondent District Superintendent of Education, Ranchi, while admitted that the petitioners are entitled for certain benefits, has stated that they are not entitle for the interim Educational Allowance, as claimed by them. It is further stated that the bills, as submitted by the Headmaster, were not signed by the Secretary of the Managing Committee of the School nor they were counter-signed by the competent authority. By Letter No. 1985 dated 27th November, 2002 it has been informed that the petitioners are not entitled for the

interim relief as sought for.

5. In the facts and circumstances, the case is remitted with direction to the 2nd respondent, Director, Primary Education, Government of Jharkhand, Ranchi, to decide the claim of the petitioner in regard to payment of salary, as claimed for, and to pass appropriate order within two months from the date of receipt of representation(s), as may be preferred. If any amount is found payable, the concerned respondent will pay the admitted dues within one month thereof i.e. within three months from the date of receipt of representation.

6. On the other hand, if the authority disputes any claim or part thereof, he will communicate the ground(s) to the petitioner(s).

7. The petition stands disposed of with the aforesaid observations and directions.