

**(2006) 10 JH CK 0003**  
**In the Jharkhand High Court**

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| Rama Srivastava               | Vs | APPELLANT  |
| State of Jharkhand and Others |    | RESPONDENT |

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**Date of Decision :** 30-10-2006

**Acts Referred:**

**Citation :** (2007) 4 JCR 414

**Hon'ble Judges :** Narendra Nath Tiwari, J

**Bench :** Single Bench

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**Judgement**

Narendra Nath Tiwari, J.—The petitioner has prayed for a direction on the respondents to pay the retiral benefits payable to the late

husband of the petitioner, who retired from the post of Principal, D.A.V. High School, Dhanbad on the 31st of January, 2000. It has been stated

that the petitioner's late husband was entitled to get gratuity, 50% of the amount deposited towards provident fund and also the final pension. The

petitioner was also entitled to get some service dues, such as arrears of salary from December, 1997 to January, 2000 and the Dearness

Allowance from July, 1991 to December, 1991 and also the arrears of medical allowances from 1.3.1989 to 28.2.1991. The petitioner's

husband, during his life time, made repeated requests and filed representations, but the said dues payable to him were not paid. The petitioner's

husband died on 9.1.2004. After his death, the petitioner, being the widow, is entitled to get the said benefits and for that she made several

requests and representations before the Director, Secondary Education, Jharkhand as also the District Education Officer, Dhanbad, but till date

neither the said dues have been paid nor any reason has been assigned for withholding the same.

2. Learned J.C. to S.C. III, appearing on behalf of the respondents, submitted that if the petitioner's claim is still pending before the concerned

authority and no final order has been passed and if any dues is payable, the same shall be considered by the authorities and appropriate order shall

be passed.

3. Considering the submission made by the learned Counsel, this writ petition is disposed of remitting this matter to the Director, Secondary

Education, Jharkhand to consider the petitioner's claim and pass appropriate order in accordance with law within a period of six weeks from the

date of receipt/production of a copy of this order. If the petitioner is entitled to get one or the other claim(s), monetary benefit(s) must be paid

within a period of six weeks, thereafter. If the amount(s), found payable, is/are not paid to the petitioner within the said period, the petitioner shall

be entitled to get interest at the rate of 10% per annum till final payment.

This writ petition is disposed of with the said observation/direction.