

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18243 of 2008

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Kedar Nath Pandey, S/o Late Parmeshwar Pandey, resident of village-Neya,
P.O.-Siswa, P.S.+ District-Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary Department of Human Resources,
Government of Bihar.
2. The District Superintendent of Education, Nawadah.
3. The District Provident Fund Officer, Nawadah
4. The District Superintendent of Education, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

5. 05.01.2015

Heard learned counsel for the parties.

In view of the petitioner having superannuated from Hazaribagh in the State of Jharkhand, learned counsel for the State has raised a preliminary objection about the maintainability of the present application before this Court.

Learned counsel for the petitioner submits that the petitioner is now residing in the District of Nawadah in the State of Bihar and thus this Court shall have jurisdiction. In view of the provisions of the Bihar Reorganization Act, 2000 by which a person retiring after such reorganization from the respective State, it would be the liability of that State to pay all dues to the petitioner which may lateron be adjusted from the other State. In the present case, the petitioner wants his retirement benefits to be calculated on the basis of service

rendered in a Government school as a Primary school teacher. Such consideration has to be from the Authority which sanctions pension and admittedly the same being in the State of Jharkhand, in the opinion of the Court, the Authorities of the State of Jharkhand are required to be given directions and the writ petition is not maintainable before this Court.

Accordingly, the application stands disposed off with liberty to move before the appropriate forum in accordance with law.

(Ahsanuddin Amanullah, J.)

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