

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4848 of 2015

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1. Prabhakar Chaudhary, Son of Late Raja Chaudhary, resident of village Malhad, P.O. Supaul, District -Saharsa.
 2. Deo Narain Choudhary Son of Late Manorath Chaudhary, resident of village Chak Dumariya, P.O. Harizan Karnpur, Naya Tola, District -Supaul.
 3. Ram Prasad Yadav, Son of Late S.P. Yadav, resident of village Lakhanpatti, P.o. Namuva, District- Supaul.
 4. Ram Bilash Sah, Assistant Teacher in Urdu Primary School, Kashmali Bela, Supaul, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Director, Primary Education, Govt. of Bihar, Patna.
3. District Superintendent of Education, Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh

For the Respondent/s : Mr. ROY SHIVAJI NATH, AAG 3

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-04-2015

A K Tripathi, J.

The reason assigned for rejection of the claim of the petitioners is evident from reading of Anneuxre-8 dated 27.5.2013.

2. These petitioners much after superannuation approached the High Court seeking a direction of payment of salary and treating their service from 1.1.1971. The previous Bench of this Court did not express any opinion on the merit of the claim but referred the matter to the Director, Primary Education, who after considering the service history and the manner in which petitioners came to be appointed, has rightly decided that they will be entitled to their service benefit from the date of regularization or take over, which has been shown to be 24.12.1989.

3. Obviously, petitioners are looking for a windfall after

superannuation, which this Court is not willing to grant by interfering with the impugned order at this stage especially when they did not ever raise this issue right through the period of service.

4. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

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