

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 280 of 2012

Arising out of

Civil Writ Jurisdiction Case No. 16967 of 2011

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Mohd. Murshid Alam Son of Late Abdul Majeed Resident of Mohalla -
Panchaiti Akhara, Police Station - Kotwali, District – Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through its Secretary, Education Department,
Secretariat, Patna.
2. Anjani Kumar Singh Son of not known to the Petitioner, Principal
Secretary Education Department, Bihar, Patna.
3. Shri Rajendra Ram Son of not known to the Petitioner, Director,
Education Department, Bihar, Patna.
4. Binod Kumar Jha Son of not known to the Petitioner, District Education
Officer, Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

41 29-04-2015

Heard learned counsel for the parties.

Pursuant to earlier order of the Court,
supplementary show cause has been filed on behalf of the
Director, Primary Education, Government of Bihar affirmed on
22.04.2015 in which copy of order dated 17.04.2015 has been
annexed in which it has been directed that the period
07.04.2012 to 29.03.2015 shall be treated to be continuous
service for the purposes of pensionary benefit but on the
principle of no work no pay, he would not be entitled to the
salary of that period and admitting that the petitioner was
appointed as Peon on 29.03.1976. It is thus clear that the
service of the petitioner stands accepted as continuing without

break from 29.03.1976.

In view of the aforesaid, learned counsel for the petitioner submits that since the petitioner has less than one year to superannuate, he does not propose to litigate any further. This Court also does not deem it appropriate to go into the aspect as to whether the opposite parties had committed contempt as they have tendered unqualified apology.

Accordingly, the application stands disposed off.

(Ahsanuddin Amanullah, J.)

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