

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5602 of 2008

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Naresh Prasad Chaudhary son of late Laxman Chaudhary, resident of Vill.
Pipradih, P.O. Morama, P.S. Ranaun, Distt. Banka.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Accountant General (A& E), Bihar, Patna
3. The District Education Officer, Banka, Distt. Banka.
4. The Principal Rajat Jayanti High School Jotha, Distt. Banka.
5. The Civil Surgeon-cum-Chief Medical Officer, Bhagalpur.
6. The Director, Secondary Education, Budh Marg, Patna 1.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

5 07-01-2015

Heard learned counsel for the parties.

The relief sought by the petitioner is for counting his period of service from 16.01.1972 to 28.02.1978 for the purposes of computing his retiral benefits and the stand of the State that the petitioner has left his service in the Health Department of the State on 28.02.1978 and on 01.03.1978 he had joined the School which was at that time unrecognized though subsequently recognized on 27.11.1978 and as per Circular No. 636 dated 18.07.1992 of the

Health Department, the service of the petitioner cannot be taken into consideration for the purposes of pension. However, in the rejoinder the petitioner has raised fresh issue of his 84 days of earned leave while he worked under the Health Department from 16.01.1972 to 28.02.1978 not being paid.

In view of the aforesaid, the application stands disposed off with liberty to the petitioner to represent before the respondent no. 5 with regard to his claim for earned leave for the period he has worked under the Health Department. If such representation is filed within four weeks along with a copy of this order, the respondent no. 5 shall look into the matter and dispose off the same within a period of three weeks. If any payment is to be made, the same shall also be made to the petitioner within the next three weeks.

(Ahsanuddin Amanullah, J)

Anjani/-

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