

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.437 of 2016

IN

Miscellaneous Jurisdiction Case No. 3896 of 2014

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1. Dr. Atia Begum Wife of Md. Ashrafiul Haque Resident of 501 City Complex,
Baripath, P.O.- Bankipur, P.s.- Kadamkuan and District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anjani Kumar Sinha son of not known the Chief Secretary, Government of Bihar, Patna.
3. Dharmendra Singh Gangwar son of not known the Principal Secretary Education Department, Government of Bihar, Patna.
4. Dr. Khalid Mirza son of not known the Director Higher Education, / Education Department, Government of Bihar, Patna.
5. Rajendra Ram Son of not known the Director Administration, Education Department, Government of Bihar, Patna.
6. Vijay Kumar Chaudhary son of not known the Director, K.P Jaiswal Research Institute, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar
Mr. Abu Shajar

For the Respondent/s : Mr. Ajay Kumar Sharma, A.C. to PAAG I

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL JUDGMENT

Date: 16-11-2016

A show cause has been filed today annexing therein notification of the State Government dated 13.01.2016 (Annexure- A) showing that the petitioner has been included in the Bihar Education Service Class II and directions have been issued to the Director of K. P. Jaiswal Research Institute, Patna to post her as such in the Institute with clarification that she would not be transferred to any other post outside the Institute.

2. From the submissions made by the learned counsel for the petitioner it appears that the Director of the Institute then sought a

clarification virtually stating that as the petitioner has now become an Officer of the Bihar Education Service Class II, the State would be required to post an Officer. The clarification having been received, on 01.04.2016 the Director of the Institute had issued orders posting her in the Institute as such. In my view nothing remains to be done now.

3. However, learned counsel for the petitioner submits that she having been granted promotion and other benefits by the State with retrospective effect and having been absorbed in the Bihar Education Service Class II, the financial benefits for which the petitioner had been fighting has not been given. It is needless to say that once the paper works have been done, it would be responsibility of the Director of the Institute to ensure payment of all consequential benefits to her as admissible in law. If that has not been done, that will be done within one month from the date of receipt/production of a copy of this order.

4. With the observation/direction aforesaid, this application is disposed of.

(Navaniti Prasad Singh, J)

Amin/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	