

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4795 of 2014

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1. Ashok Kumar Son Of Sri Tapeswar Sharma Resident Of Village And P.O. Bhoari, P.S. Tekari, District - Gaya At Present Assistant Teacher In Shang Dharshan Sanskrit High School Bhoari, P.S. Tekari District - Gaya

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary/Commissioner, Prathmik Madhyamil and Adult Education Govt. Of Bihar, Patna Department of Education, Bikash Bhawan, Patna
3. The Additional Secretary Prathmik, Madhyamik and Adult Education, Govt. Of Bihar Patna Department of Education, Bikash Bhawan, Patna
4. The Special Director Secondary Education - In - Charge Sanskrit Education, Govt. Of Bihar, Patna, Vikash Bhawan, Patna
5. The Bihar Sanskrit Shiksha Board, Patna Boring Canal Road, Patna through Its Secretary
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna Boring Canal Road, Patna
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna, Boring Canal Road, Patna
8. The District Education Officer, Gaya, Distt. - Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar

For the Respondent/s : Mr. Ranjan Kumar, AC to AAG 4
Mr S.S.Sundaram

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-02-2016

Annexure- 5, dated 21.12.1995 and Annexure-6 dated 29.1.1999 are the bone of contentions in the present writ application whose quashing the petitioner is seeking since it is coming in the way of the relief which he is looking for.

The Court has the benefit of a detailed considered order passed in CWJC No.12887 of 2008, decided on 28.3.2011. This order is Annexure-7 to the writ application.

Submission of the counsel is that it is same said

Annexures 5 and 6, which were under consideration as Annexures 7 and 8 of that writ application. The Court has verified the position from the original records and accepts the submission of the counsel for the petitioner.

If that be so then for the same reason and rational, the writ application is allowed and Annexures 5 and 6 dated 21.12.1995 and 29.1.1999 respectively are quashed. Respondent Sanskrit Shiksha Board and the State are directed to ensure payment of salary and claim of the petitioner within a period of three months from the date of production/ communication of a copy of this order provided the facts of the petitioner are identical to the decision rendered in CWJC No. 12887 of 2008.

Writ is allowed.

(Ajay Kumar Tripathi, J)

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