

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7522 of 2014

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Mohammad Nasimuddin, Son of Late Qurban Ali, Resident of Village -
Mubarakchak, P.O. - Bank, P.S. - Munger Muffasil, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna
3. The District Education Officer, Munger.
4. The Sub Divisional Education Officer, Munger Sadar, Munger.
5. The District Account Officer, Munger.
6. The Accountant General, Birchand Patel Path, Patna.

.... 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 JUDGMENT

Date: 28-03-2016

Heard learned counsel for the parties.

In view of the fact that the retiral dues of the petitioner have been paid except the earned leave, the Court does not deem it necessary to keep the matter pending. Accordingly, the writ petition stands disposed off.

However, the petitioner shall be at liberty to file a representation before the respondent no. 3 along with copy of this order with regard to the leave encashment, which according to him had wrongly been held up due to *mala fide* action of the Incharge Headmaster of the High School, in question. He submits that despite there being an F.I.R. lodged against him by his successor and after

thorough investigation, the police had submitted final form finding the allegation to be untrue; however to be fair, he submits that he wants to hand over charge with regard to Rs. 24,000/- taken by him for which he is also ready, but the present incumbent Incharge Headmaster is not ready to take charge and for this he has prayed for the respondent no. 3 to intervene.

If such a representation is filed, the respondent no. 3 shall look into the grievance of the petitioner and also ensure that he is allowed to give charge in accordance with law and after that his payment with regard to leave encashment shall be considered and made to him within four weeks from him submitting such representation before the respondent no. 3.

(Ahsanuddin Amanullah, J)

Sujit/-

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