

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7723 of 2011

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Lakshmi Narayan Singh son of late Harikrishna Singh, resident of village – Akhtiyarpur, Post office – Chandwa, Police Station – Udwant Nagar, District – Bhojpur at Ara.

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner-cum-Principal Secretary, Human Resource Development Department, Government of Bihar.
3. The Commissioner-cum-Secretary, Department of Finance, old Secretariat, Government of Bihar, Patna.
4. The District Education Superintendent Bhojpur at Ara.
5. The District School Inspector, Bhojpur at Ara.
6. The Headmaster, Shri Jain Bala Vishram Balika (Minority) Middle School, Dhanupara, Ara, under district Bhojpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Respondent/s : Miss Divya Verma, A.C. to A.A.G.- 3

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6. 27-01-2016 Heard Sri Ramchandra Singh, learned counsel for the petitioner and learned A.C. to Addl. Advocate General – 3.

The petitioner has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to direct the respondents to make approval in respect of petitioner as Head Master of Shri Jain Bala Vishram Balika (Minority) Middle, School, Dhanupara, Ara (Bhojpur) with all consequential benefit w.e.f. 01-03-2006 and in accordance with order passed by the Secretary of the Managing Committee of the School.

It has been claimed that the petitioner was made Head Master of the said School w.e.f. 01-03-2006, as per decision taken by

the Managing Committee of the School and thereafter, same was communicated for approval.

In this case, a counter affidavit has been filed on behalf of respondent no. 4/District Programme Officer, Bhojpur at Ara.

Learned A.C. to Addl. Advocate General – 3, by way of referring to statement made in paragraph – 7 and onwards to the counter affidavit, submits that the promotion of petitioner as Head Master has already been accepted w.e.f. 01-03-2006 and all the financial benefits have also been given and paid to the petitioner, save and except, the amount in respect of leave encashment for 259 days, which is under-consideration.

In view of the facts and circumstances, particularly; facts disclosed in counter affidavit and **Annexure – C** to the counter affidavit, the Court is of the opinion that there is no need to keep the matter further pending.

The writ petition stands disposed of with an observation that the grievance of the petitioner regarding payment against leave encashment may be redressed without unnecessary delay, preferably; within a period of two months from the date of receipt/production of a copy of this order.

(Rakesh Kumar, J.)

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