

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16199 of 2008

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Sandeep Kumar Mukherjee, S/o Late Arabinda Bhushan Mukherjee, presently residing in the house of Shri Akhilesh Banerjee called “Nitya Dham”, Yarpur- Khagol Road, P.O. G.P.O., P.S. Gardanibagh, Town and District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Primary, Secondary and Adult Education, Government of Bihar, New Secretariat, Patna.
3. The Director, Primary, Secondary and Adult Education, Government of Bihar, Vikash Bhawan, Patna.
4. The Regional Deputy Director of Education, Darbhanga, Laheriasarai, District- Darbhanga.
5. The District Superintendent of Education, Darbhanga, Kila Ghat, Darbhanga-864004.
6. The Area Education Officer, Darbhanga, Kila Ghat, Darbhanga-846004.
7. The Secretary, Pitambari Bengali Middle School, Lalbagh, Darbhanga-846004.
8. The In-Charge Head Master, Pitambari Bengali Middle School, Lalbagh, Darbhanga-864004.
9. The Collector-cum-District Magistrate, Darbhanga.
10. The Treasury Officer, Secretariat Treasury, Sinchai Bhawan, Patna.
11. The Accountant General, Bihar, Patna.
12. The Senior Accounts Officer (Pension) office of the A.G., Bihar, 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: 29-02-2016

Heard learned counsel for the parties.

Pursuant to order dated 25.02.2016, the respondent no. 3 is present. He has tendered apology for not ensuring that a query from the learned State Counsel was appropriately replied to. He further assures that against the District Programme Officer, Darbhanga, who despite having been telephonically informed by the learned State Counsel had not responded, appropriate action shall be taken. On merits, he submits that inadvertently the earlier decision of the State Government, way back in February, 2013, which relates to the relief being sought by the petitioner, has been accepted in principle by the State Government but could not be brought on record even though the same was in reference to the order passed by a co-ordinate Bench of this Court in the case of **Bihar Minorities/Aided Primary Teachers Association vs. State of Bihar** reported in **2011(4) PLJR 931**. He submits that the consequential orders in the case of the petitioner relating to payment of his post retiral benefits shall be done expeditiously. However, a request is made for some extra time in view of the ongoing Board Examinations.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the writ

petition stands disposed off with a direction to the respondent no. 3 to ensure that all retiral benefits of the petitioner are actually paid to him within six weeks from today.

The assurance having come from the respondent no. 3, who is present in Court, any violation may lead to serious repercussions.

Personal appearance of respondent no. 3 stands dispensed with.

(Ahsanuddin Amanullah, J)

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