

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3495 of 2014

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1. Yudhishtir Ram S/O Late Raghunandan Ram Resident Of Village- Dadar, P.O.- Dadar, P.S. Mohania, District- Kaimur

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.... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary Human Resource Department, Govt. Of Bihar
2. The State Of Jharkhand Through Principal Secretary Human Resource Department, Govt. Of Jharkhand Ranchi
3. The District Superintendent Of Education Latehar
4. The Accountant General (A And E) Of Bihar, R. Block Birchand Patel Path, Patna
5. The Accountant General (A And E) Of Jharkhand, Ranchi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel

For The Respondent/S : Mrs. Kumari Amrita, GP 10

Mr Ranjan Kumar

Mr Sanjiv Jaiswal

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-01-2016

Petitioner was an Assistant Teacher and superannuated on 31.1.2006 from the State of Jharkhand from district of Latehar, His pension has already been authorized by the Accountant General, Jharkhand and transferred to Accountant General, Bihar for payment. The Treasury, however, is taking an objection that the no objection certificate is not being annexed with the said authorization.

Even though the counsel representing the State of Jharkhand has appeared and filed a counter affidavit, they are silent as to why no objection certificate is not being issued by the District

Superintendent of Education, Latehar and even the Deputy Commissioner, Latehar has not taken cognizance of petitioner's grievance.

This is an inequitable and unfair conduct of the concerned District Superintendent of Education, Latehar. In view of the same, the Court directs the Principal Secretary, Human Resource Department, Government of Jharkhand to direct the District Superintendent of Education, Latehar to issue no objection certificate in favour of the petitioner so that the petitioner can take the benefit of his pension which any way has not been settled for almost 10 years and now the petitioner is in the evening of his life. Such a no objection certificate must be forwarded to the Treasury Officer, Bhabua with a copy to the petitioner, preferably within a period of 10 weeks from the date of communication of a copy of this order.

The counsel representing the State of Jharkhand will also communicate the above order to the Principal Secretary, Human Resource Department, Government of Jharkhand, for his knowledge.

(Ajay Kumar Tripathi, J)

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