

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5562 of 2017

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Ram Balak Pandey, retired Assistant Teacher, Minority High School, Mafi, Nalanda and son of Late Sheo Nandan Pandey, resident of village + Post- Kulti, P.S.- Asthawan, District- Nalanda, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner, Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Secretary, Finance Department, Government of Bihar, Patna.
4. The District Education Officer, Nalanda.
5. The District Programme Officer (Establishment), Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate
For the State : Mr. Rajesh Kumar Sinha, A.C. to G.P.-23

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-05-2017

The present application has been filed by the petitioner for a direction to the respondents authority to make payment of dues of encashment of leave.

2. There is no dispute to the fact that the petitioner retired as an Assistant Teacher from High School, Mafi, Nalanda, which is a Government Aided Minority School.

3. Having heard learned Advocates for the parties and perused the record, I find that the case of the petitioner is squarely covered by the decision of this Court in the matter of *Raghib Hassan vs. The State of Bihar and Others (C.W.J.C. No.10535 of 2016)*. In



that case, the question as to whether or not the teachers employed in Non-Government Aided Minority Schools can avail the benefits of encashment of leave has been answered in affirmative.

4. In that view of the matter, the writ application is disposed of on the same terms as that of ***Raghib Hassan vs. State of Bihar and Others*** (supra). The respondents are directed to pay the dues of leave encashment to the petitioner without any delay preferably within a period of three months from the date of production of a copy of this order, failing which the respondents would be liable to pay interest at the rate of eight per cent per annum on such delayed payment from the date the amount is liable to be paid as per direction of this Court till the date of actual payment.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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