

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7988 of 2014

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Umesh Prasad Chaurasia, Son of Sri Ram Bilas Prasad Chaurasia, Resident
of Village- Panapur Dharmapur P.S.- Vaishali, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary (Secondary Education), Human Resources Department,
Government of Bihar, Patna
3. The Director, Secondary Education, Government of Bihar, Patna
4. The District Education Officer, Vaishali
5. The Head Master, Rajyakrit Rajkishore Vidyalaya, Ushufpur, District-
Vaishali
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lala Purushottam Kr Rajgrihar Advocate
For the Respondent/s	:	Mr. Sashi Ahmad Khan AC to SC-25
For the Accountant General	:	Mr. Ram Kinker Chaubey Advocate

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**
ORAL ORDER

4 22-05-2017

Heard learned counsels for the parties.

The Court does not want to get into an exploratory mode all over again as to what will be the entitlement of the petitioner in terms of length of service either under the State or the erstwhile Managing Committee since certain decisions have been rendered by Division Bench, last of them being LPA No.851 of 2009, decided on 02.08.2011 and upheld by the Hon'ble Apex Court.

The right of the petitioner to get pension would



accrue from the date of establishment of the school in question granted by the State instead of the date of take over. The law being what it is now, writ application is allowed with direction upon the respondents to fix the pension of the petitioner on the basis of the date of grant of establishment of the school by the State instead of take over, i.e. 24.12.1974.

Writ application stands allowed.

(Ajay Kumar Tripathi, J)

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