

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15432 of 2015

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Sri Yogendra Singh son of Late Vishwanath Singh, resident of village- Som Garh,
P.S.- Sathi, District- West Champaran at Bettiah

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Principal Secretary, Department of Education, Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The District Education Officer, West Champaran at Bettiah
5. The District Programme Officer (Establishment), West Champaran at Bettiah
6. The Headmaster, Aided Janta Middle School, Murli Anchal- Narkatiyaganj, West Champaran at Bettiah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the State : Mr. S. K. Giri, GP 9

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 24-05-2017

Heard learned counsel for the petitioner and State.

2. Counter affidavit has been filed on behalf of respondent
no. 5.

3. The petitioner had moved the Court for a direction to the
respondents to pay the amount of leave encashment due to him.

4. The petitioner superannuated as Assistant Teacher from
Aided Janta Middle School in the district of West Champaran at
Bettiah which was a minority aided school. Upon superannuation,



though he was granted his other retiral benefits but he was not given the benefit of leave encashment forcing him to approach this Court.

5. Learned counsel for the petitioner submitted that the issue stands concluded by a decision of this Court dated 03.08.2015 in C.W.J.C. No. 23 of 2015 in the case of **Charley Lazarus v. The State of Bihar & Ors.** which has been affirmed on 16.03.2017 in L.P.A. No. 1856 of 2016.

6. Learned counsel for the State does not dispute the position.

7. Having considered the matter, the writ petition stands disposed off in terms of order dated 03.08.2015 passed in C.W.J.C. No. 23 of 2015.

8. The respondents are directed to pay the leave encashment amount, as per the entitlement of the petitioner, within a period of two months from the date of production of a copy of this order before the respondent no. 4.

(Ahsanuddin Amanullah, J)

Anjani/-

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