

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15956 of 2011

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Shivendra Kumar S/o Late Nunu Lal Yadav R/O Village - Sri Nagar, P.S. Ghaighr, Distt. Madhepura at Present as Retired Assistant Teacher from Primary School Terhi Singheshwar (West)

.... Petitioner

Versus

1. The State Of Bihar
2. The Commissioner - Cum - Secretary Deptt. of Human Resources, Govt. of Bihar, Patna
3. The Director Primary Education, Govt. Of Bihar, Patna
4. The Regional Deputy Director Of Education, Saharsa
5. The District Superintendent Of Education, Saharsa, Madhepura Now District Education Officer, Madhepura
6. The District Magistrate, Madhepura
7. The Block Education Extension Officer, Singheshwar
8. The Drawing Disposing Headmaster Middle School, Kaurihar, Singheshwar (West)
9. The Head Master Primary School, Baluaha (Madhepura West)
10. The Headmaster Primary School, Terhi (Singheshwar West)

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand

For the Respondent/s : Mr. S.Raza Ahmad Aag9

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 02-11-2017 The petitioner, in the present writ application, has sought for direction upon the respondent authority to grant salary from 01.01.1971 to 07.10.1988. Admittedly, the petitioner was appointed on 30.06.1970 and his joining was accepted on 30.06.1970, so it was incumbent upon the respondent nos. 2 to 5 to accord the approval of the service of the petitioner with effect from 01.01.1971 along with all consequential benefits.

The learned counsel for the petitioner has further



submitted that the present case is squarely covered by the order passed in CWJC No. 15838 of 2013 dated 04.07.2014.

The petitioner is directed to file a representation before the Director, Primary Education, Government of Bihar, Patna (Respondent no.3) within a period of three months enclosing the order passed in CWJC No. 15838 of 2013 dated 04.07.2014, along with his representation.

The Respondent no.3 shall dispose of the representation of the petitioner, in accordance with law, within a period of six months from the date of filing of such representation.

With the aforesaid observation and direction, the present writ application stands disposed of.

If the petitioner is entitled for any such benefit, in light of the order passed in CWJC No. 15838 of 2013, the respondents will be obliged to extend the benefit within a period of three months from passing of such order, in light of Clause-4© of State Litigation Policy.

(Sudhir Singh, J)

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