

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3620 of 2017

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Md. Shabbir Ahmad son of Late Shamsuzzoha, resident of village - Raingown
Buzurg, P.S.- Dhoraiya, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Government of Bihar, New Secretariat, Bailey Road, Patna-1
2. The Principal Secretary, Department of Human Resources, Government of Bihar, New Secretariat, Bailey Road, Patna-1
3. The Director, Secondary Education, Government of Bihar, Intermediate Council Bhawan, Budh Marg, Patna- 1
4. The Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna
5. The District Programme Officer, Banka
6. The District Education Officer, Banka
7. The Secretary, Managing Committee of Azad High School, Bishanpur, P.S. Dhoraiya, District - Banka

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Anisur Rahman, Advocate
	:	Mr. Bishnu Kant Dubey, Advocate
	:	Mr. Panchu Ram, Advocate
For the State	:	Mr. Arbind Kumar, A.C. to G.P.-23

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 16-05-2017

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 Azad High School, Bishanpur, Bhagalpur, 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	
Uploading Date	20.05.2017
Transmission Date	

