

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6562 of 2017

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Kamendra Kumar Kamesh, Son of Gopal Sharan Singh, resident of Village-
Chhata, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Education Govt. of Bihar, Patna.
2. The Director Primary Education, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Respondent/s : Mr. Dharendra Kr. Roy, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner submits that similarly
circumstanced others have been granted the benefit of resolution
contained in memo no. 1133 dated 20th December, 2016. He
submits that there is no justification in denying the benefits
which was made available to similarly circumstanced others.

The State Government has taken a litigation policy wherein
they have indicated that State will adopt same yardstick and
grant same relief if one or the other matters are covered by the
decision of the State Government or the Court.

In case the similarly circumstances others have been granted
benefit of resolution contained in memo no. 1133 dated 20th
December, 2016, there is no reasonable justification to deny



such benefits to the petitioner.

Accordingly, the writ petition is disposed of with the direction to the respondent-Director, Primary Education, Government of Bihar to examine the case of the petitioner in the light of the resolution of the State Government contained in memo no. 1133 dated 20th December, 2016.

If the case of the petitioner similar to that of the persons benefited by resolution dated 20th December, 2016, similar benefit should be extended to the petitioner. Such decision in the matter of claim of the petitioner must be taken by the respondent no. 2 within a period of four months from the date of receipt/production of a copy of this order and if any monetary benefits accrued to the petitioner, the respondents should ensure payment of the same within two months thereafter.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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