

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6744 of 2017

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Tulika Prasad, wife of Late Arun Kumar Sinha, resident of M-6/33, Road No.10,
Rajendra Nagar, P.S.- Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Director, the Research and Training, Education Department, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak, Advocate

For the Respondent/s : Mr. Hari Mohan Mishra, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 04-04-2018

Heard learned counsel for the petitioner and State.

The petitioner has filed the present writ application for a direction to the respondents to consider her case for voluntary retirement, as the petitioner is suffering from various ailment and is unable to discharge her responsibility.

Learned counsel for the petitioner submits that the petitioner is qualified for voluntary retirement, as she has completed more than 25 years of service and has also completed 57 years and there is no departmental and criminal proceeding pending against the petitioner.

In view of the above, the writ application is disposed of with a direction to the respondents to examine the case of the



petitioner strictly in accordance with the Bihar Service Code and the circular of the State Government dated 27.04.1979 and if the petitioner is otherwise qualified for voluntary retirement necessary decision must be taken at the earliest.

The respondent authority, namely, the Director, Primary Education, Government of Bihar is required to take final decision on the application of the petitioner for voluntary retirement, if not already taken, within a period of 60 days from the date of receipt/production of a copy of this order and after acceptance of the voluntary retirement request of the petitioner, the respondents are required to workout to the entitlement of the petitioner for grant of post-retiral benefits. The entire exercise in this regard must be completed within a further period of two months from the date of receipt/production of acceptance of voluntary retirement.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2018
Transmission Date	

