

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6086 of 2006

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Chandeshwar Prasad son of late Tuklal Singh, resident of Village Porai, Police Station Harnaut, District Nalanda and was posted as an Assistant Teacher in Nationalized High School, Harnaut, Police Station Harnaut, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary (Secondary Education), Human Resources Development Department, New Secretariat, Patna.
2. The Director (Secondary Education), Human Resources Development Department, Bihar Secondary Education Office, Intermediate Council Building, Budh Marg, Patna.
3. The District Education Officer, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s :
For the State : Mr. Mukund Mohan Jha, AC to GP 27

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-02-2018

Nobody appears on behalf of the petitioner. Learned counsel for the State has been heard.

2. The petitioner has claimed pensionary benefits on the basis of his entire length of service till his notional superannuation on 31.12.1998, though from 05.05.1989 he had not attended his duties without any sanctioned leave. Thus, he was paid retiral dues taking his period of service only till 05.05.1989.



3. From the materials on record, in the opinion of the Court, the petitioner absenting himself from job from 05.05.1989 shall come into the category of voluntary and wilful abandonment of service. This is an admitted position.

4. For the reasons aforesaid, both on merits and on the ground of nobody having appeared on behalf of the petitioner to press the writ petition, the same stands dismissed.

(Ahsanuddin Amanullah, J)

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