

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9940 of 2014

=====

Dhirendra Prasad Yadav S/o - Late Saryug Prasad Yadav R/o Village + P.O. -
Khajuraha P.S. - Sonbarsa Raj, Distt. - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Primary Education, Bihar, Patna.
3. The Deputy Secretary, Personnel Administrative Reforms Department, Bihar,
Patna.
4. The District Magistrate, Saharsa.
5. The District Education Officer, Saharsa.
6. The District Programme Officer (Establishment), Saharsa.
7. The District Treasury Officer, Saharsa.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh
For the Respondent/s : Mr. Gp12-Madhresh Prasad

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 19-11-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner as to the premature retirement does not merit any consideration for the simple reason that petitioner was appointed at the relevant time when he was minor and not eligible for appointment.

Since petitioner was granted benefit of appointment irrespective of the fact that he was minor and not eligible for appointment, the Court does not find any infirmity in the order contained in Annexure-5B. However, dismissal of the writ petition will not come in the way of respondents settling the



post-retiral benefit in terms of Annexure-5B at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands dismissed.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

