

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15415 of 2012

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Krishna Murari Sharma Son Of Sri Sudama Prasad Singh R/O Village-
Morsand, P.S.- Pusa, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Principal Secretary Education Department,
Government Of Bihar, Patna
2. The Director, Primary Education Department, Govt. Of Bihar, Patna
3. The Member, District Teacher Employment Appellate Authority, Samastipur,
District- Samastipur
4. The District Education Officer Samastipur, District- Samastipur
5. The District Programe Officer, Establishment, Samastipur, District-
Samastipur
6. The Block Development Officer, Pusa, District- Samastipur
7. The Block Education Officer, Pusa, District- Samastipur
8. The Panchayat Secretary, Gram Panchayat Raj- Bishnupur Bathua, Block-
Pusa, District- Samastipur
9. The Mukhiya, Gram Panchayat Raj- Bishnupur Bathua, Block- Pusa,
District- Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar
For the Respondent/s : Mr. Neelu Agrwal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 25-07-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner's termination was set aside by the
Tribunal. However, the Tribunal declined to grant any relief for
payment of arrears of salary.

Learned counsel appearing on behalf of the petitioner
submits that petitioner was illegally terminated and was
reinstated after order of Tribunal is entitled to at least continuity
of service.



Considering the totality of the facts situation, the writ petition is allowed to the extent that petitioner shall not claim salary for the period he was out of job but on account of decision of the Tribunal and his reinstatement, he is entitled to count of past service, the respondents are hereby directed to count his past service rendered prior to reinstatement i.e., the period during which the petitioner was kept out of the employment.

With the aforesaid, the writ petition stands disposed.

(Anil Kumar Upadhyay, J)

Ravi/-

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