

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8704 of 2017

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Ravi Pratap Singh son of Rajendra Singh resident of village - Ghanshyampur,
P.S. Belua, District - Chandauli (U.P.) presently working as Assistant Teacher,
Gangotri Pariyojna Balika Uchha Viyalaya, Chenari, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Human Resource Development Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Buddha Marg, Patna.
3. The Regional Deputy Director of Education, Patna Division, Patna.
4. The District Education Officer, Rohtas.
5. The Treasury Officer, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. Narendra Kumar, AC to GP20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 21-02-2018

Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

A counter affidavit has been filed on behalf of the respondents in the present writ petition wherein in paragraph 7, it has been mentioned that considering the claim of the petitioner, a detailed order has been passed on 26.3.2014 whereby the petitioner's services have been recognized from 1.1.1989. In the subsequent paragraphs it has been stated that respondents are taking step for payment of back wages to the petitioner of the past service .

In view of the averments made in para-7 onwards, the writ petition is disposed of with a direction to the respondent No.4, the



District Education Officer, Rohtas to examine the case of the petitioner and after due verification of the record, pass necessary order in the light of the statements made in para 7 onwards of the counter affidavit. Paragraph Nos. 7 to 9 are quoted below for ready reference.

“7. That on receipt of the representation of the petitioner, the same was disposed of vide memo no. 105P, dated 26.3.2014, whereby the services of the petitioner was approved as an assistant teacher of the school in question with a condition that the services of the petitioner with retrospective effect after due verification of the regular attendance of the petitioner. On getting the report of the Regional Deputy Director of Education, Patna Division, Patna in respect of attendance of the petitioner w.e.f. 1.1.1989, the necessary order has been issued vide memo no. 198P, dated 29.12.2017. By the aforesaid order the petitioner has been allowed the payment of arrears of salary in five equal annual instalment w.e.f.1.1.1989. The District Education Officer, Rohtas has been directed to pay the arrears of salary from 1.1.1989 for the working period in accordance with law. A photo copy of memo no. 198P dated 29.12.2017 is enclosed herewith and marked as Annexure-A to this counter affidavit.

8. That from the aforesaid facts, it is clear that the grievance of the petitioner has already been settled and writ petition became infructuous.



9. That Sri Sultan Ahmad, Deputy Officer, Secondary Education, is hereby authorized to swear the counter affidavit on behalf of Department.”

Final decision in this regard must be taken by the respondents within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2018
Transmission Date	

