

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8768 of 2011

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LAL BAHADUR SHARMA S/O BANARAS SHARMA, R/O
VILLAGE+P.O.-KAINDI, P.S.-HALSI, DISTT.-LAKHISARAI, RETIRED
ASSISTANT TEACHER, PRIMARY SCHOOL, LALITA UNDER BLOCK-
SIKANDRA, DISTT.-JAMUI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT, GOVT. OF
BIHAR PATNA
2. THE DIRECTOR, PRIMARY EDUCATION, BIHAR PATNA
3. THE REGIONAL DEPUTY DIRECTOR OF EDUCATION (R.D.D.E.)
MUNGER
4. THE DISTRICT MAGISTRATE, JAMUI
5. THE DISTRICT EDUCATION OFFICER, JAMUI
6. THE DISTRICT SUPERINTENDENT OF EDUCATION, JAMUI
7. THE BLOCK EDUCATION EXTENSION OFFICER, SIKANDRA
8. THE HEADMASTER-CUM-DRAWING AND DISBURSING AUTHORITY
MIDDLE SCHOOL, SIKANDRA BLOCK-SIKANDRA, DISTT.-JAMUI

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Devendra Kr Sinha AAG-2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

18 20-06-2018 Heard Mr. Siya Ram Shahi learned counsel for the

petitioner and the learned counsel appearing on behalf of the

State.

A counter affidavit has been filed on behalf of the
State on 19th June, 2018, wherein the respondent (District
Education Officer) has placed on record the letter no. 1062
dated 12.09.2017 whereby the respondents have admitted their
mistake in issuing the order of termination. Respondents have
admitted that the petitioner is entitled to the benefit of post



retiral dues treating the service of the petitioner upto 22 August 2002.

Mr. Sahi has not disputed the decision of the respondent admitting the continuity of the service of the petitioner upto 22.08.2002.

He submits that in view of the above, the respondents may be directed to workout the entitlement of the petitioner at the earliest so that the pensionary benefit may be ensured to this petitioner.

In view of the above, the writ petition is disposed of with a direction to respondent to workout the post retiral benefit admissible to the petitioner, treating the service of the petitioner upto 22.08.2002 within a maximum period of 60 days from the receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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