

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1664 of 2017

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Pramila Kumari, Wife of Shri Yogendra Prasad Singh, Resident of Village + P.O.-
Manjosh, P.S.- Sikandra, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education (R.D.D.E), Munger Division, Munger.
4. The District Education Officer, Jamui.
5. The District Programme Officer (Establishment), Jamui.
6. The District Provident Fund Officer, Jamui-cum-Munger, District- Jamui.
7. The Block Education Officer, Sikandra, District- Jamui.
8. The Incharge Headmaster, Middle School, Manjosh, Block- Sikandra, District- Jamui.
9. The Accountant General, Bihar, Birchand Patel Marg, Patna.
10. The Bihar School Examination Board, Patna through its Secretary having its Office at Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the State	:	G.P. 20
For the A.G.	:	Mr. Kumar Priya Ranjan and Mr. Niraj Kumar, Advocates
For the B.S.E.B.	:	Mrs. Namrata Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 25-06-2018

Heard learned counsel for the petitioner; State;

Accountant General and the Bihar School Examination Board,

Patna.

2. The petitioner has moved the Court for the
following reliefs:-

“That the petitioner prays for issuance of a writ in the nature of mandamus commanding and directing upon the



Respondents concerned to pay the pension and other retrial benefits with up to date statutory interest to the petitioner as after completion of 60 years of service, petitioner has retired on 24.06.2015 as Assistant Teacher from Middle School, Manjosh, Block- Sikandra, District- Jamui under the circumstances that though petitioner was dismissed from service on the ground of suspicion on his initial appointment vide Memo No. 877 dated 8.4.2008 issued from the level of Respondent then District Superintendent of Education, Jamui (now known as District Programme Officer (Establishment)) without initiating any departmental proceeding under prescribed service Rule which has been turned down by the Respondent R.D.D.E., Munger vide Memo No. 990 dated 1.10.2008 with certain direction to pass appropriate order on the point of dismissal but thereafter as per subsequent action educational testimonials were verified from the concerned office and found valid and accordingly payment of intervening period since December, 2004 to April, 2008 has been ordered to be paid vide office order bearing Memo No. 13 dated 7.1.2015 issued by the Respondent District Programme Officer, Jamui but in view of above circumstance petitioner was not allowed to join the post despite order passed by appellate authority deeming her continued in service and after that petitioner retired on 24.06.2015 and till date neither any further adverse order has been passed nor any proceeding under Rule 43 (B) of Bihar Pension Rule is initiated as yet and even the same is barred under statute also. Any other order/orders for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of this case.”



3. During the proceeding, the Bihar School Examination Board was made party and affidavit was permitted to be filed on its behalf. The same has been done.

4. In view of the stand taken by the respondents, after some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the writ application.

5. Learned counsel for the respondents do not oppose.

6. In view thereof, the writ petition stands disposed off as withdrawn.

(Ahsanuddin Amanullah, J.)

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