

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25573 of 2013

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ARBIND KUMAR SON OF LATE DAROGA RAI RESIDENT OF
VILLAGE- BABHANTOLI, VIA- BHAGWANPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government Of Bihar, Old Secretariat, Patna
3. The Principal Secretary, Department Of Education, Government Of Bihar, Patna
4. The Director, Primary Education, Government Of Bihar, Patna
5. The District Education Officer, Vaishali
6. The Regional Deputy Director, Tirhut Pramandal, Muzaffarpur
7. The District Superintendent Of Education, Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Mishra, Advocate
For the Respondent/s : Mr. Ravi Kumar, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-09-2018 The present application was filed by the petitioner for a direction to the respondent to allow the Matric trained from 05.09.1999 to 30.09.2003 notionally and from 01.10.2003 with financial benefit.

Learned counsel for the respondent State with reference to the counter affidavit particularly paragraph Nos. 5 and 9 as admitted the claims of the petitioner for grant of such benefit. Paragraph No. 5 and 9 is quoted below for ready reference:-

“5. That the reply of statement
made in paragraph No. 1 of the writ petition



is that the claim of the petitioner raised in the writ application are admissible on the basis of the letter No. 12 dated 05.01.2015 signed by the Joint Secretary Education Department of Bihar and has been communicate to all DDO's of District by the office Letter No. 296 dated 16.01.2015 with instruction for those teacher who are eligible.

In the matter of the petitioner Arvind Kumar a letter has been sent to H.M Cum DDO M.S. Mirjanagar, Mahua by the office letter no. 418 dated 20.01.2015 for the pay fixation of the petitioner and further taking proper action.

9. That the reply of statements made in paragraph No. 13 of writ petition is that Letter No. 12 dated 05.01.2015 has been issued. Now the teacher who was appointed before 05.09.1997 will get the benefit which is mentioned in Para No. 1 and letter Annexed with.,,

In view of the admitted factual position the writ



petition is allowed. The respondents are directed to grant all consequential benefit to the petitioner in terms of their stand taken in paragraph No. 5 and 9 quoted hereinabove. Necessary decision for grant of such consequential benefit to the petitioner taken by the respondent 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 disposed of.

(Anil Kumar Upadhyay, J)

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