

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16282 of 2016

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Kusheshwar Singh son of Shyam Prasad Singh Resident of Village-
Maniarpur, Post Office- Maniarpur, Police Station-Bidupur, Distt-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. The Joint Secretary, Department of Education, Bihar, Patna
4. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
5. The Director, Research and Training, Department of Education, Govt. of Bihar, Patna
6. The District Education Officer, District-West Champaran, Bettiah
7. The District Programme Officer (Establishment), District-West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Narain Singh
For the Respondent/s : Mr. Rajesh Kumar Sinha-Gp23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-04-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the respondents.

Learned counsel appearing on behalf of the petitioner submits that the case of the petitioner is covered by the decision of this court. On the other hand, learned counsel for the respondents submit that contrary decision was taken by the Director, Primary Education and in view of the aforesaid they submit that the case of the petitioner is distinguishable on fact.

Without going into the controversy whether the case of the petitioner is identical to the case on which they placed reliance or the case is distinguishable on fact, the writ petition



is disposed of with direction to the Principal Secretary (respondent no.2) who shall examine the case of the petitioner in accordance with law and in case the claim of the petitioner is covered by the decision of this court, the Principal Secretary will extend same benefit to this petitioner and in the event, the case of the petitioner is distinguishable on fact, the Principal Secretary is required to pass a reasoned speaking order.

In the event the case of the petitioner is found similar to the case on which they placed reliance, the respondent Principal Secretary is required to see monetary benefit must reach the petitioner within a period of sixty days from the date of filing of such representation.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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