

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 70 of 2014

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Snehi Prasad Singh @ Ram Snehi Prasad Singh, Son of Late Ramashish Singh,
Resident of Village - Parsauni Kapur, Police Station - Kathyia, District –
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Director, Secondary Education, Bihar, Patna.
3. Regional Deputy Director, Tirhut Division, Muzaffarpur.
4. District Education Officer, West Champaran.
5. Treasury Officer, West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Advocate
For the State : Mr. Birju Prasad, G.P. 13
Mr. Amresh, A.C. to G.P. 13
Mr. Ashok Kumar, A.C. to G.P. 13

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-03-2018

Heard learned counsel for the petitioner and the State.

2. The petitioner has moved the Court for the following

reliefs:

“ (i) For quashing the order dated 12.03.2005 passed by the Director, Secondary Education, Bihar, Patna (respondent no. 2) whereby the petitioner who superannuated from the post of In-Charge Headmaster of Yugal Prasad High School, Bhenshi, West Champaran was held entitled to 50% provisional pension until the completion of departmental proceeding. The letter vide memo no. 1787 dated 24.08.2004 be also called for and the same be quashed.

(ii) For direction to the respondent no. 2 to make payment of Gratuity, Leave Encashment, Full Pension, Arrears of Pension, Arrears of Salary for 3 months to the petitioner with penal interest.



Further, pray for issuance of any other appropriate writ/writs, order/orders, direction/directions and relief/reliefs which they are entitled to in the facts and circumstances of the case.”

3. On 08.03.2018, the Court had given time, on prayer made by learned counsel for the petitioner to to through a Division Bench order of this Court in the case of **Vijay Kumar Mishra vs. State of Bihar** reported as **2017(1) PLJR 575**.

4. After having heard learned counsel for the parties today, the Court finds that in view of the law laid down in the case of **Vijay Kumar Mishra** (supra) the action of the authorities, at the present stage, cannot be said to be arbitrary requiring any interference.

5. Accordingly, the writ petition stands dismissed.

6. However, it shall be open to the petitioner to file a representation before the competent authorities with regard to any payment which according to him is due and admissible, in accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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