

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8053 of 2019

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Abul Hasan Azizi @ Abul Hasan, S/o Ahmad Hussain, Resident of Village-
Pipra, P.S. Manjhagarh, District Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner,
Secondary and Primary Education, Government of Bihar, Patna
2. The Director Secondary Education, Govt. of Bihar, Patna
3. The Secretary Finance Department, Govt. of Bihar, Patna
4. The District Education Officer Gopalganj
5. The District Programme Officer (Establishment) Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate
For the Respondent/s : Mr.Jitendra Kr. Roy 1, SC-13

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

19-04-2019 Heard the learned counsel for the petitioner, learned
counsel appearing on behalf of the State.

The petitioner retired from the post of Head Maulvi
of Government aided Madarsa which is a Government aided
Madarsa. The present writ application has been filed for
payment of leave encashment which has been sanctioned and
paid to other teachers and staff of Minority Institutions and
Non-Government Sanskrit Schools and Madarsa, in view of the
Resolution of the State Government being resolution no. 237
dated 20.02.1990 which came into force on 01.01.1990.



He submits that the matter is now no longer res integra as this court in the case of Charley Lazarus vs. State of Bihar and others dated 03.08.2015 had directed for payment of leave encashment as per the entitlement, which has been upheld by the division bench in L.P.A. No. 1856 of 2016.

Considering that the matter is already decided by this court, this writ application is disposed of in the light of the order dated 03.08.2015 passed in C.W.J.C. No. 23 of 2015 upheld in L.P.A. No. 1856 of 2016.

Respondent no. 5, the District Programme Officer Establishment, Gopalpur, is directed to pay the amount of leave encashment as per the entitlement of the petitioner within a period of two months from the date of receipt/production of the copy of this order before the respondent no. 5.

(Nilu Agrawal, J)

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