

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9145 of 2019

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Avinash Kumar Sharma S/o Late Badri Nath Singh Resident of Village-
Birupur, P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department, Government of Bihar, Patna.
2. The Director (Higher Education), Government of Bihar, Patna.
3. The Director, Rural Institute of Higher Studies at Birauli, P.S. Pusa, District- Samastipur having its registered office at Birauli, Samastipur.
4. The Accountant General, Veer Chandra Patel Marg, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kripa Nand Jha, Adv.
For the Respondent/s	:	Mr.Subhash Chandra Mishra (Sc16)
for the AG		Mr. Rabindra Kumar Priyadarshi, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Accountant
General, Bihar, Patna.

Petitioner in the present writ application has prayed
for the following reliefs:-

“(i) For issuance of an appropriate direction, order or
writ in the nature of mandamus commanding the respondents to
pay arrears and current pension and gratuity to the petitioner
w.e.f. 01.12.2015 i.e. from date of his retirement from the post
of lecturer in the Rural Institute of Higher Studies at Birauli,
Samastipur.



(ii) For holding and declaring that the petitioner is entitled to get the pension and gratuity after retirement from his post keeping in view that the other employees of the institute have been allowed pension and gratuity, which has also been approved by this Hon'ble Court and affirmed by the Hon'ble Apex Court.”

Considering the nature of claim and with special reference to the order passed in L.P.A. No. 08 of 2015 and other analogous cases, this writ application is allowed with a direction to the respondent authorities to release the terminal benefits of the petitioner found admissible along with the admissible interest within a period of three months from the date of receipt/production of the copy of this order.

(Nilu Agrawal, J)

devendra/priyanka

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