

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4005 of 2014

Geeta Mishra W/O Late Binod Kumar Mishra Resident Of Village Ranipur,
P.O. Vrindabad Ashram, P.S. Chanpatiya, Distt.- West Champaran

... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary
2. The Secretary, Department Of Secondary, Primary And Adult Education, Bihar New Secretariat Vikash Bhawan Bailey Road Patna
3. The Deputy Secretary Department Of Secondary, Primary And Adult Education, Bihar New Secretariat Vikash Bhawan Bailey Road Patna
4. The Director, Mass Education, Govt. Of Bihar New Secretariat Vikash Bhawan Bailey Road Patna
5. The Joint Director, Mass Education, Govt. Of Bihar New Secretariat Vikash Bhawan Bailey Road Patna
6. The District Education Officer, Motihari, Distt. East Champaran
7. The District Education Superintendent, Motihari, East Champaran
8. The Area Education Officer, Motihari, Distt. East Champaran
9. The Block Development Officer, Turkoliya, East Champaran
10. The District Programme Officer Establishment, Motihari, East Champaran
11. The Section Officer, Public Grievance Cell Education Department, Govt. Of Bihar, Patna

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Barun Kumar Choudhary Ms. Kumari Khusboo
For the Respondent/s	:	Dr. Mankeshwar Tiwari, AC to AAG 3

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 25-01-2019 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

Counsel for the petitioner submits that the case is squarely covered by the benefits granted in the case of similarly situated employee Smt. Ramlaxmi Mishra.

Counsel for the State places reliance on Annexure 'A' to the counter affidavit, to submit that the case of Smt. Ramlaxmi Mishra was not to be treated as precedent.

One letter dated 9.4.2014 issued by the Joint Director, Mass Education -cum- Public Information Officer, bearing No.



638, has been produced by the petitioner in Court today. He submits that in respect of at least six persons, other than Smt. Ramlaxmi Mishra, benefits has been granted who were similarly situated as the petitioner. Relying upon the said letter, petitioner has not submitted his claim seeking parity before any authority.

If the petitioner's claim is similarly situated as that of the beneficiaries, detailed in letter dated 9.4.2014, it is needless to say that he too would be entitled to the same benefits. The issue, however, has to be examined by the authorities.

In view of the circumstances, petitioner's Counsel submits that highlighting parity with said persons, he would be submitting representation before respondent No. 4 claiming parity with the beneficiaries detailed in letter dated 9.4.2014.

In the event such an application is made within a period of four weeks from today, respondent No. 4 shall consider entitlement of the petitioner. The claim should be disposed of by a reasoned and speaking order and in accordance with law within a period of three months thereafter.

The writ petition is disposed of in the aforesaid terms.

This Court would clarify that anything, which has been stated in the order, may not be deemed to be an expression on merit of the claim of either parties.

(Madhuresh Prasad, J.)

SNkumar/-

U			
---	--	--	--

