

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18452 of 2015

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Baidya Nath Choudhary Son of late Ram Jhulan Choudhary Resident of
Village- Pipraulia, P.S. Ashok Paper Mill, District Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Higher Education Department, Government of Bihar, Patna
2. The Director Higher Education Department , Government of Bihar, Patna.
3. The Director, Rural Institute of Higher Studies at Birauli, P.S. Pusa, District Samastipur.
4. The Accountant General , Birchand Patel marg, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kripa Nand Jha
For the Respondent/s	:	Mr.Abbas Haider- Sc16
For Rural Institute, Birauli	:	Mr. Shashi Bhushan Singh
For A.G.	:	Dr. Anand Kumar
	:	Mr. Bipin Kumar @ Deo

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 13-11-2019 The learned counsel for the parties are in agreement that the case of the petitioner is squarely covered by a judgment *dated 04.02.2019* passed by the learned Division Bench of this Court in *L.P.A. no. 8 of 2015 and other analogous cases (The State of Bihar and Another v. Smt. Munni Devi and others)* wherein it has been held that the employees of the institute in question namely Rural Institute of Higher Studies at Birauli, Samastipur would be entitled to pension, gratuity and provident funds as also other retiral dues.

It is not disputed by the learned counsel appearing for



the respondents that the petitioner is entitled to pension, gratuity and provident fund as also other retiral dues as a consequence of him having retired from the Rural Institute of Higher Studies at Birauli, Samastipur on 31.01.2015.

At this juncture, the learned counsel for the petitioner submits that except pension and gratuity, the petitioner has received other retiral dues.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with a direction to the respondent no. 2 to ensure payment of the pension and gratuity amount to the petitioner within a period of four weeks from the date of receipt/ production of a copy of this order, failing which penal action would be taken against the defaulters.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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