

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1704 of 2018

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Anant Prasad Tiwary Son of Late Nawin Chandra Tiwary Resident of Village - Parwati Hata, Police Station - K. Hat , District - Purnea, at present resident of Chitrawani Road, Bhatta Bazar, Police Station - K. Hat, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Patna.
5. The Headmaster, Bhatta Middle School, Bhatta, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Respondent/s : Mr.J.K. Roy No.1- Sc13

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-01-2019 Learned counsel for the petitioner is permitted to make necessary correction in the nomenclature of respondent no.4 which would be read as the District Programme Officer, (Establishment), Purnea.

Heard the learned counsel for the petitioner, learned counsels for the State and the Accountant General, Bihar, Patna.

Petitioner who superannuated from service on 31.05.2004 from the post of Assistant Teacher in Aided Bhatta Middle School (Begali), Bhatta, Purnea prays for payment of earned leave with admissible interest in the light of the order passed in the case of CWJC No.23 of 2015 dated 03.08.2015



(Charley Lazarus vs. The State of Bihar and Others) and upheld in LPA No.1856 of 2016 dated 16.03.2017. This Court had allowed payment of leave encashment as per the entitlement of the said employee.

Considering the said facts, this writ application is allowed in terms of the order passed in CWJC No.23 of 2015 and affirmed by the Division Bench in LPA No.1856 of 2016. The respondent no.4 is directed to make payment as per the entitlement of the petitioner within a period of four months from the date of receipt/production of a copy of this order before respondent no.4.

(Nilu Agrawal, J)

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