

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9760 of 2017

=====

Fredrick Michael S/o Late Michael Raphael, resident of Bankey Behari Roy
Near V. K. Singh University, Jay Prakash Nagar, Ara, P.S.- Nawada, District-
Bhojpur.

... .. 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, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer, Bhojpur at Ara.
5. The Headmaster, Catholic High School, Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Madanjeet Kumar- Gp20

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 08-05-2019

Heard learned counsel for the petitioner and learned
counsel for the respondent State of Bihar.

As per the case of the petitioner he was appointed as
Assistant Teacher in Catholic High School, Ara in the year 1994
and superannuated on 31.01.2017. The grievance of the
petitioner is that in spite of his superannuation in January, 2017,
he has still not received amount due under the head of leave
encashment.

A counter affidavit has been filed on behalf of the



respondent nos. 2 and 3 wherein it has been stated that the Education Department, Government of Bihar has already taken a decision to provide benefit of leave encashment to the Teachers of minority school vide resolution contained in memo no. 1232 dated 25.09.2018. A copy of the said resolution has been brought as Annexure A to the counter affidavit.

It is submitted by the learned counsel appearing for the State of Bihar that the decision to provide benefit of leave encashment has already been taken and the said amount shall be paid within a reasonable period and as such nothing remains in the writ application to decide.

Having heard the learned counsel for the parties and having gone through the records, I find that the Education Department, Government of Bihar has already taken a decision to provide the benefit of leave encashment to the Teachers of minority school. As such this writ application is disposed of with a direction to the District Education Officer, Bhojpur at Ara (respondent no. 4) to ensure payment of the amount due under the head of leave encashment to the petitioner within a period of four months from the date of receipt/production of a copy of this order.

Writ application stands disposed of with the aforesaid



observations and directions.

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

