

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10271 of 2017

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Kiran Kumari Wife of Late Ram Ratan Sharma, Resident of Village P.O.-
Raili, P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Patna Division, Patna.
4. The District Education Officer, Patna.
5. The District Programme Officer Establishment, Patna.
6. The District Treasury Officer, Patna.
7. The District Provident Fund Officer, Patna.
8. The Accountant General, Bihar, Birchand, Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Ram Sagar Singh, Advocate
For the Respondents	:	Mr.Jitendra Kumar Roy No-1 SC-13

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-07-2019 Heard counsel for the parties.

This application has been filed by the petitioner for a direction to the respondents to pay the retiral benefits treating them to be working since their initial appointment by the then Managing Committee or at least w.e.f. 01.01.1989 along with statutory and penal interest and for payment of revised pension and other retiral dues.

It is submitted by the counsel for petitioner that similarly situated persons who moved this Court vide CWJC No.10325 of 2017 has been disposed of by a coordinate Bench of this Court on 19.06.2019. Hence, it is contended by the counsel for the petitioner that this writ petition may be disposed



of in the light of the aforesaid order. Copy of the same has been placed which is kept on record.

It has further been submitted that in view of order passed by the District Programme Officer (Estt), Patna, it transpires that the respondents have agreed with the contention raised on behalf of the petitioner and, accordingly, direction for making necessary correction in the Pension Payment order with further direction to revise the pension, treating the period from 01.01.1989 to June, 1998, as the petitioner being in service be made.

It is submitted on behalf of the respondents/State that so far as benefits of ACP is concerned, the same is not admissible to the teachers of Project and Nationlized High Schools, as in the case of the petitioner. However, a counter affidavit is silent with respect to the entitlement of the petitioner with respect to 'Pravaran Vetanman'.

Having heard learned counsel for the parties, this writ application is disposed of with a direction to the respondent no.4, the District Education Officer, Patna to ensure that the benefits of the post retiral benefits, payable to the petitioner arising out of the order contained in Annexure-A to the counter affidavit be paid to the petitioner within a period of four months



from the date of receipt/production of a copy of this order.

So far as the contention of the petitioner with respect to the 'Pravaran Vetanman' is concerned, liberty is granted to each to the petitioner to make a separate representation before the respondent no.4, the District Education Officer, Patna who shall decide the matter within a period of four months from the date of receipt of the said representation and in case, any monetary benefits is found payable to the petitioner, the same would also be paid within a period of three months from the date of passing of the order by the District Education Officer, Patna.

With the above observations and directions, this writ application stands disposed of.

(Prabhat Kumar Singh, J)

B.Kr./-

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