

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4231 of 2018

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Umesh Prasad, son of Late Ayodhya Prasad, Resident of Village & Post
Office- Andauli, Police Station- Sak Sohra, District- Patna ... Petitioner

Versus

1. The Bihar Shcool Examination Board, Patna, through its Chairman.
 2. The Chairman, Bihar School Examination Board, Patna.
 3. The Secretary, Bihar School Examination Board, Patna ... Respondents
- =====

Appearance :

For the Petitioner : Mr. Ram Kumar Singh, Adv.

For the Respondents : Mr. Sunil Kumar Mandal, SC

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-01-2019 Heard learned counsel for the petitioner and the

learned counsel for the Bihar School Examination Board, Patna.

Petitioner seeks calculation of gratuity and pension
for the period spent as Seasonal Assistant between June, 1965,
to 1968. He submits that the said period has been counted as
qualifying service for pension and gratuity in the case of
similarly situated employees by this Court in C.W.J.C. No.
14276 of 2001 (Pannalal Upadhyay Vrs. Bihar School
Examination Board & Ors.) by order, dated 10.04.2002, and has
been upheld in appeal, being L.P.A. No. 630 of 2002, dated
20.05.2002, special leave to appeal, so filed by the Bihar School
Examination Board has also been dismissed by the Apex Court,
which is SLA No. 19163 of 2002, dated 08.10.2002.

In this context learned counsel for the Bihar School
Examination Board submits that the petitioner has already



represented before the respondent-Secretary of the Bihar School Examination Board, which is at Annexure 7 to the writ application.

This writ application is **disposed off** with a direction to the respondent no. 3, the Secretary, Bihar School Examination Board, to dispose of the representation of the petitioner, dated 28.08.2017, as contained in Annexure 7, within a period of three months. Any re-calculation be done and paid to the petitioner within a period of one month thereafter.

(Nilu Agrawal, J)

Shamshad/-

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