

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5545 of 2019

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Keshaw Prasad, Son of Lautan Prasad, Resident of Village Barari Jagdish,
P.S.- Uchkagaon, District Gopalganj, At present Budha Coatage, Near Power
House Harkhauli, East Tola, P.S. Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Accountant General, Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Education Department, Gopalganj.
6. The District Provident Fund Officer, Gopalganj.
7. The District Account Officer, Gopalganj.
8. The District Treasury Officer, Gopalganj.
9. The Managing Committee, Sahu Jain Girls High School, Mirganj, District Gopalganj through its Secretary.
10. The Secretary, Sahu Jain Girls High School, Mirganj, District- Gopalganj.
11. The Head Master, Sahu Jain Girls High School, Mirganj, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Naresh Prasad
For the State	:	Mr.Ashutosh Ranjan Pandey (AAG15)
For the Accountant General:	:	Mr. Chandan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-06-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner, in this writ petition, seeks direction to the respondents to pay post retiral benefits of the petitioner. Admittedly, the petitioner was appointed on 30.10.1986 in a minority school, namely, Sahu Jain Girls High School, Mirganj,



Gopalganj on the post of Science Teacher but since the post of Science Teacher was not vacant the Additional Chief Secretary, Human Resources Department, Government of Bihar, Patna by Annexure- A to the counter affidavit refused to grant approval to the appointment of the petitioner on non existing post of Science Teacher. Against that order (Annexure- A to the counter affidavit) the petitioner has already filed writ petition being CWJC No. 15362 of 2019 in which notice was issued. Unless the appointment of the petitioner in the minority school is approved by the Additional Chief Secretary, Human Resources Department, Government of Bihar, Patna the petitioner is not entitled to get retiral benefits.

In this view of the fact, the learned counsel for the petitioner seeks permission to withdraw this writ petition with liberty to bring all these facts to the notice of the court in CWJC No. 15362 of 2019.

The learned counsel for the respondents did not raise any objection.

Having considered the submissions of both sides, this writ petition is permitted to be withdrawn. Accordingly, the writ petition stands disposed of as withdrawn.

(Prabhat Kumar Jha, J)

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