

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10181 of 2019

Lakshmi Narayan Singh, Son of Late Harikrishna Singh, resident of Village-Akhtiyarpur, Post Office- Chandwa, Police Station- Udwantnagar, District-Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The District Education Officer, Bhojpur at Ara.
5. The District Program Officer (Establishment), Bhojpur at Ara.
6. The District Inspector of School, Bhojpur at Ara.
7. The Headmaster, Shri Jain Bala Vishram Balika (Minority), Middle School, Dhanupra, Ara, Under District- Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate
For the Respondent/s : Mr. Kameshwar Kumar (GP-17)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 28-08-2020 Heard learned counsel for the petitioner and the respondents.

The present writ application has been filed by the petitioner for a direction to the respondents to pay leave encashment in terms of Annexure-7 to the writ petition.

In this case, a counter affidavit has been filed by the respondents, in which specific statements have been made that pursuant to Annexure-7 they have calculated the entitlement of the petitioner and have granted 245 days leave encashment.

Mr. Ram Chandra Singh, learned counsel for the petitioner submits that the petitioner is entitled to 259 days leave



encashment but he has been granted leave encashment only for 245 days.

Considering the fact that the petitioner has questioned the calculation of 245 days leave encashment, which cannot be adjudicated in the present case. It would be appropriate that liberty may be granted to the petitioner to approach the District Programme Officer (Establishment), Bhojpur at Ara with the relevant materials to pursue that he is entitled to leave encashment of 259 days.

In the event, such representation along with a copy of this order is filed, the District Programme Officer (Establishment), Bhojpur at Ara shall pass appropriate order with regard to the claim of remaining 14 days of leave encashment.

Necessary decision in this regard may be taken by the District Programme Officer (Establishment), Bhojpur at Ara within a period of four months from the date of receipt of representation.

With the aforesaid, the writ application stands disposed of.

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(Anil Kumar Upadhyay, J)

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