

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.279 of 2018

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R. N. Sharma @ Ram Naresh Sharma S/o Late Ram Ashish Sharma, A R/O
A.P. Dutt, Compound, Prabhatpur, Maripur, P.S.-Kazi Mohammadpur,
District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Director, Secondary Education, Govt. of Bihar.
3. The Regional Deputy Director, Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sri Niwas Jha, Advocate
For the Respondent/s	:	Mr.Prabhakar Jha, GP 27
For the Accountant General	:	Mr. S.M. Ehtesham, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Sri Niwas Jha, learned counsel for the petitioner; Mr. Prabhakar Jha, learned Government Pleader No. 27 for the State and Mr. S. M. Ehtesham, learned counsel for the Accountant General.

3. The petitioner has moved the Court for the following reliefs:

“That this is an application for a writ of certiorari to quash the letter dt. 25.11.2008 under Memo no.



Pen-5-1349 and letter dt. 21.2.2009 under Memo no. 463 and a writ of mandamus to pay full Gratuity and other retiral benefits with consequential benefits with 18% interest and cost of this proceedings.”

4. At the very outset, learned counsel for the parties admit that payments to the petitioner have been made. However, learned counsel for the petitioner submitted that in the case of similarly situated persons, interest has been allowed which has not been paid to the petitioner.

5. Having regard to the aforesaid, as no specific instance has been brought to the notice of the Court, payments having been made, the writ petition stands disposed off with liberty to the petitioner to make a detailed representation before the respondent no. 4. In the said representation, he would enclose all supporting materials, including orders of the Court. If such representation is filed within six weeks from today, the respondent no. 4 shall look into the matter and get the facts verified from the records. If it transpires that the orders passed in the case of others, which is relied upon by the petitioner, is applicable in the case of the petitioner also and such persons are similarly situated to the petitioner, similar relief shall be granted to the petitioner also. The respondent no. 4 shall pass a reasoned order on the representation filed by the petitioner within four weeks from the date of filing of the representation. If, as per the



order to be passed, any further payment is to be made to the petitioner, the same shall also be paid to him within four weeks from the date of passing of the order. It is clarified that the Court has not expressed any opinion on merits on the claim of the petitioner.

(Ahsanuddin Amanullah, J)

Anjani/-

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