

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Civil Writ Jurisdiction Case No.16230 of 2018**

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Sushma Jaiswal wife of Late Sita Ram Jaiswal, Mohalla- Jamunanagar
Shahpur P.O. P.S. District- Aurangabad.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Principal Secretary, Education Department, Bihar, Patna.
3. Director Administration cum Additional Secretary, Education Department, Bihar, Patna.
4. Director, Research and Training, Education Department, Bihar, Patna.
5. Treasury Officer, Aurangabad.
6. Principal, Primary Teachers Training College, Sahpur, Aurangabad.
7. Accountant General A and E, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Hriday Prasad, Adv.
For the Respondent/s : Ms.Binita Singh -SC-28

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 21-09-2020 Learned counsel for the petitioner as well as Ms.

Binita Singh, learned SC-28 for the State are present.

This writ application has been preferred seeking
issuance of a writ in the nature of mandamus to the respondents
to pay the pension, gratuity and leave encashment as also other
consequential benefits to the petitioner who has retired from the
post of Principal from Primary Teachers Training College,
Shahpur, Aurangabad on 31.08.2017.

In the counter affidavit filed on behalf of the State a
statement has been made in paragraph '4' that the provisional



pension of the petitioner has already been sanctioned and she is receiving her provisional pension as per the P.P.O. issued. It is also pointed out that the name of the petitioner has transpired in an CBI enquiry which has been initiated by virtue of an order passed by this Court in CWJC No.9847/1998 in which the appointment/promotion of the primary teachers and others in the State from 1980 till 1998 is under investigation.

In paragraph '14' of the counter affidavit statement has also been made that the department has decided to sanction provisional pension and provisional gratuity to the petitioner in view of the order dated 02.05.2018 passed by Hon'ble Full Bench of this Court in CWJC No.15328/2016 (Arvind Kumar Singh Vs. the State of Bihar & ors.). The amount of GPF has already been paid to the petitioner.

On the last date, learned counsel for the petitioner was given time to seek instruction as to whether petitioner is receiving provisional pension and provisional gratuity or not. Today, learned counsel for the petitioner has informed this Court that the petitioner is receiving the provisional pension and she has already received gratuity amount, thus, presently the grievance of the petitioner has been redressed.

In the aforesaid view of the matter, since for the



present the grievance of the petitioner has been redressed and no other plea has been taken, this writ application is disposed of as having become infructuous.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

