

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6643 of 2020

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Ram Priti Kamal, Son of Late Ramdhari Mahto, Resident of Village Chakdaddu, P.O.- Malpur, P.S.- Khodawanpur, District- Begusarai.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Accountant General, Bihar, Patna.
4. The Education Officer, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Mishra
For the State	:	Mr. Hitesh Suman, AC to SC 13
For respondent no. 3	:	Mr. Vivekanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT

Date : 12-07-2021

Heard learned Counsel for the parties concerned.

The petitioner has preferred this writ application for the following reliefs:-

“That the present writ application is being directed for issuance of writ in the nature of mandamus or any appropriate writ/writs commanding the respondents concerned particularly respondents no. 2 and 3 to provide the petitioner with the benefit of the revised pension by giving benefit of notional pay fixation with protection of seniority as also for payment of the amount accrued to the petitioner by virtue of his entitlement in respect of different heads after superannuation from service.”



Learned Counsel for the petitioner submits that earlier the petitioner, along with others, had preferred CWJC No. 17196 of 2019, but a Bench of this Court directed to confine the writ application only for petitioner no. 1, i.e. Mahendra Jha, of the said writ application, by order, dated 09.09.2019; whereas other petitioners, including this petitioner, were given liberty to file separate writ petitions. He further submits that in pursuance of the aforesaid order, the petitioner has filed separate writ application before this Court. He next submits that CWJC No. 17196 of 2019 was disposed of by directing the petitioner to file representation before respondent no. 1 with regard to his grievances within a period of four weeks and the respondents were directed to dispose of the said representation within a period of 12 weeks thereafter. He further submits that another writ petition, being CWJC No. 1977 of 2020, was filed for the same relief by one Ripusudan Choudhary, and the same was disposed of in terms of the order passed in CWJC No. 17196 of 2019. Accordingly, learned Counsel for the petitioner submits that the present writ application may also be disposed of in terms of the order, passed in CWJC No. 17196 of 2019.

Learned Counsel for the respondents do not have any objection.



In view of the aforesaid submissions, this writ application is disposed of with liberty to the petitioner to file a representation before respondent nos. 2 and 3 with regard to the grievances, made in this writ application within a period of four weeks from today and the respondent nos. 2 and 3 shall look into the representation of the petitioner, if filed within the period aforesaid, and dispose of the same by passing a reasoned order within a period of three months from the date of filing of the representation.

It is made clear that if the respondent authorities came to the conclusion that any amount is payable to the petitioner, the respondent authorities shall also ensure payment of the same to the petitioner within a period of six weeks from the date of passing of the order.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15-07-2021
Transmission Date	N/A

