

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20288 of 2018

Prahlad Singh Son of late Hardeep Singh, Resident of Village-Bairka, P.O.-Bairka, P.S.-Atri, District-Gaya, Present residing at Quarter No. 834, Ward No.9, Mohalla-Vidyapuri, P.O.-Jhumri Telaiya, P.S.-Talaiya, District-Kodarma Jharkhand.

... .. 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. Under secretary, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Gaya.
5. The District Program Officer, Establishment, Education, Gaya.
6. The Accountant General, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Md. Helal Ahmad, Advocate
For the State	:	Mr. Mrigendra Kumar, AC to GP-20

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 02-03-2021

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondents *“to make payment of retiral benefits such as Gratuity, Earn Leave, arrears of pension after grant of pay protection with interest and arrears of amount of pay protection since 07.01.2015 to 28.02.2018 as per order dated 10.05.2018 passed in CWJC No. 4466 of 2016 by a Bench of this Hon’ble High Court whereby the respondent has been directed to extend the benefits of pay protection like their counter parts teacher of State of Bihar by calculating pay protection; and further direct the respondents to fix the amount of pension to the petitioner after grant of benefits of pay protection as directed by this*



Hon'ble High Court."

3. At the very outset, learned counsel for the state refers to paragraph 10 of the counter affidavit to submit that final order had been passed vide departmental memo No. 2502 dated 21.11.2019, withholding 25 percent pension of the petitioner, and accordingly the Under Secretary, Education Department, Bihar vide memo No. 284 dated 25.02.2020 had sanctioned 75 percent final pension as well as remaining 10 percent of gratuity, requesting the A.G., Bihar to issue the necessary authority against the same.

4. Learned counsel for the petitioner states that a fresh writ petition bearing CWJC No. 5581 of 2020 has since been filed against the aforesaid final order, which is pending.

5. In the above view of the matter and with the consent of the parties, the present writ petition is disposed of with the observation that any further payment to the petitioner would abide by the result of the aforesaid CWJC No.5581 of 2020.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	03.03.2021
Transmission Date	-

