

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13003 of 2019

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Hewanti Devi, Female, aged about 44 years, W/o Lalan Singh, Resident of village- Manikpur, P.O.- Keshopur, P.S.- Simri, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Human Resources Department, Bihar, Patna.
2. The Chairman, Bihar School Examination Board, Bihar, Patna.
3. The Secretary, Bihar School Examination Board, Bihar, Patna.
4. The Director Administrator/Addl. Secretary, Education Department, Bihar, Patna.
5. Lalan Singh, Son of Late Baijnath Singh, Resident of village - Manikpur, P.S. Simri, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar, Advocate
For B.S.E.B.	:	Mr.Gyan Shankar, Advocate
For the State	:	Mr.Madhaw Prasad Yadav, G.P-23

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-01-2021 Heard the parties.

The present writ petition has been filed for the
following reliefs :-

- (i) For quashing memo no.-1740 dated 27.09.2016 (Annexure-7) issued by the respondent no.4 cancelling memo no.2526 dated 23.12.2015 (Annexure-6) issued by the Director, Education Department, communication sent to the Secretary, Bihar School Examination Board, Patna whereby and where under the petitioner has been granted 50% share



of pension/ retiral benefits. The respondent no.4 has not taken into consideration that the writ application being CWJC No.4523 of 2016 filed by the respondent no.5 for setting aside memo no.2526 dated 23.12.2015 has been dismissed by a Bench of this Hon'ble Court on 29.09.2016 (Annexure-8).

- (ii) For a direction to the respondent authorities to ensure payment of entire due amount which the respondent no.5 has agreed upon to pay, after appearing before the respondent authorities pursuant to memo no. B.S.E.B. (S.S) dated 18.12.2010 (Annexure-1), and, in view of order dated 15.10.2014 passed by Human Rights Commission in file no.3555/12 (Annexure-5), as well as 50% pension/ retiral benefits in view of memo no.2526 dated 23.12.2015 (Annexure-3) issued by the Director, Education Department.
- (iii) And for any other appropriate and consequential relief or reliefs to which the petitioner may be found entitled in course of hearing of this writ application.

After hearing the parties, learned counsel for the petitioner is directed to file detailed representation before the



respondent no.3 within a period of two weeks along with copy of the relevant documents including the order/ judgment passed by the Family Court in favour of the petitioner.

In the facts and circumstances of the case, the respondent no.3 is directed to hear the petitioner/ petitioner's counsel to pass speaking and reasoned order in accordance with law within a period of 45 days.

It is made clear that respondent no.3 would be solely responsible for non-compliance of this Court's order within the stipulated period as aforesaid.

Accordingly, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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