

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12158 of 2022

Chandeshwar Narayan Singh Son of Late Japat Narayan Singh, Resident of Damyanti Sadan, T.P.S. College Road, Chiraiyatand, P.O.- G.P.O., P.S.- Kankarbagh, District- Patna, Retired Assistant Teacher, High School, Neura, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Secretary, Finance Department, Govt. of Bihar, Old Secretariat, Patna.
4. The Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna.
5. The Regional Deputy Director of Education, Patna Division, Patna.
6. The District Education Officer, Patna.
7. The District Programme Officer (Establishment), Patna.
8. The Accountant General, Bihar, Veer Chand Patel Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Smt. Shilpa Singh (GA- 12)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 02-09-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



That, the present petition is being preferred for setting aside the order in Memo No. 1026 Patna dated 07.07.2020 passed by the

Director, Secondary Education, Govt. of Bihar directing all District Education Officers and District Programme Officers (Establishment) for verification of pay in senior scale or selection grade to the teachers of Nationalized Secondary Schools in light of the letter of Finance Department, Govt. of Bihar under Letter No. 3349 dated 23.06.2020 reference to the benefit of increments and in case it was found the grant of increment it should have been cancelled and the access amount that has been paid to the teachers of such Secondary Schools be recovered ignoring the judgment of Apex Court in Civil Appeal No. 3351-3354 of 2003 on 16.12.2008 in case of Saiyed Abdul Kadir observing/ directing that the recovery of amount that has been paid in access is set aside and recovered amount from some of the teachers be refunded to them within three months in addition to consequential orders vide Memo No. 2309 dated 02.05.2003 and Memo No. 11894 dated 14.12.2009 issued by Finance Department, Govt. of Bihar and for other necessary relief/ reliefs to the basis of facts and circumstances of the case as stated, enumerated and discussed hereinafter.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to the aggrieved party to file a petition in individual capacity.

Liberty granted.

The instant petition stands disposed of as withdrawn with the liberty aforesaid.



Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	06.09.2022
Transmission Date	

