

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5385 of 2023

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Nageshwar Paswan Son of Late Tetar Paswan, Resident of Village and P.O. and P.S. Telmar, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Director Secondary Education, Bihar, Patna.
3. The Under Secretary, Department of Education Bihar, Patna.
4. The District Magistrate, Nalanda at Bihar Sharif.
5. The District Education Officer, Nalanda at Bihar Sharif.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Tirpit Kumar, Advocate
For the Respondent/s	:	Mr.Madhaw Pd. Yadaw (GP 23)
		Mr.Arvind Kumar, AC to GP 23

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-08-2023 Heard Mr. Tirpit Kumar, learned counsel appearing on behalf of the petitioner and Mr. Madhaw Pd. Yadaw, learned GP 23 for the State.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner has not passed Hindi Noting and Drafting Examination, as such after his retirement, an amount of Rs.3,79,495/-, allegedly on the ground that benefit of LPC is not applicable in the case of the petitioner as he has not passed Hindi Noting and Drafting Examination, was withheld.



3. Learned counsel further submits that in the light of recent judgment of the Hon'ble Apex Court passed in the case of ***Amresh Kumar Singh & others vs. State of Bihar & Ors.*** reported in ***2023 SCC Online SC 496***, he seeks liberty to file a detail representation before the Director, Secondary Education Department, Bihar, Patna.

4. Considering the submissions made on behalf of the petitioner, the Director, Secondary Education Department, Bihar, Patna is directed to dispose of the representation of the petitioner in the light of law laid down by the Hon'ble Apex Court in the case of ***Amresh Kumar Singh & others vs. State of Bihar & Ors. (supra)*** within a period of six weeks from the date of filing of the representation and make payment of all retiral dues applicable to the petitioner in accordance with law and is also directed to send fresh sanction letter to the Accountant General, Bihar for calculating the pension after giving benefit of ACP to the petitioner in accordance with law.

5. With the above observation/direction, the present writ petition is disposed of.

(Purnendu Singh, J)

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