

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13513 of 2021

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Meera Singh W/o Late Indramani Prasad Singh R/o New Colony, Ward No. -
8, Saharsa, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Bihar, Patna.
3. Director, Secondary Education, Bihar, Patna.
4. Principal Secretary, Finance, Bihar, Patna.
5. The Accountant General, Bihar, Patna.
6. Deputy Director of Education, Kosi Division, Saharsa.
7. Collector, Saharsa.
8. Treasury Officer, Bhagalpur.
9. District Education Officer, Saharsa.
10. District Programme Officer (Estb), Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Dilkash Khan, Adv.
For the Respondent/s	:	Mr. Jitendra Kr. Roy No. 1, SC-13
For the Accountant General	:	Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner has filed the present writ petition for directing the respondent authority to make payment of retiral benefits i.e. 100 % Pension, Gratuity, Leave encashment. Learned counsel for the petitioner submits that petitioner was appointed as Music Teacher on 07.03.1983 and she retired on 30.04.2018 after completion of 35 years of

service. Counsel submits that petitioner alongwith other teachers terminated but they all were reinstated in compliance of the order passed in C.W.J.C. 17495 of 2016 vide Memo No. 289 dated 17.02.2017. Counsel further submits that a departmental proceeding was initiated against 7 teachers including one Kanta Devi who retired on 31.07.2018. Counsel submits that the said Kanta Devi is similarly situated to the petitioner to whom all the retiral benefits were given but the benefit to the petitioner is denied.

Learned counsel for the petitioner submits that he has filed representation vide Annexure-3 of the writ petition. A counter affidavit has been filed before the Deputy Director of Education, Kosi Division, Saharsa (respondent no. 6) but there is no clear cut stand taken by him as to why the petitioner was deprived from a retiral dues.

In the above facts and circumstances, counsel for the petitioner is directed to file a fresh representation before the Director, Secondary Education, Bihar, Patna (respondent no. 3), who upon going through the records of the petitioner as well as similarly situated persons as that of petitioner, shall take a decision in accordance with law within 90 days from the date of receiving of the representation alongwith the order of this Court.

If the writ petition shall be entitled for payment, her entire dues shall be paid within 30 days thereafter.

Accordingly, the present writ petition is disposed off.

(Dr. Anshuman, J.)

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