

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11109 of 2022

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Shrivastava Saroj Kumari W/o Krishna Kumar Prasad, presently residing at Balu Ghat, C/o Rajesh Kumar Shrivastava, P.S. - Town Thana, Muzaffarpur, District - Muzaffarpur, retired as Incharge Principal, Chapman Balika Uccha Madhymic Vidyalaya, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Patna.
4. The Director (Primary)-Cum-Additional Secretary, Education Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Tirhut Division, District - Muzaffarpur.
6. The District Magistrate, Muzaffarpur, District - Muzaffarpur.
7. The District Education Officer, Muzaffarpur, District - Muzaffarpur.
8. The Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh

For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-03-2023 Heard learned counsel for the petitioner and learned Government Pleader-20 for the State.

Learned counsel for the petitioner submits that in an identical writ application filed by Kumari Manju Lata bearing C.W.J.C. No. 3361 of 2020 the issue has already



been decided by a Co-ordinate Bench of this Court. He further submits that the case of the petitioner is fully covered with the judgment dated 04.09.2021 passed in the aforesaid writ application. Accordingly, his prayer is that the present writ application may be disposed of in terms of the order dated 04.09.2021 passed in C.W.J.C. No. 3361 of 2020.

Learned counsel appearing for the respondent – State does not dispute the fact that the case of the present petitioner is covered by the judgment dated 04.09.2021 passed in C.W.J.C. No. 3361 / 2020.

In view of the aforesaid submission, this writ application is disposed exactly in terms of the order dated 04.09.2021 passed in C.W.J.C. No. 3361 of 2020.

In the result, the order of punishment dated 20th January, 2022 kept at Annexure- 11 to the present writ application passed by the Director (Primary)-cum-Additional Secretary, Education Department, Government of Bihar is hereby quashed.

Since the impugned order withholding pension of the petitioner has been quashed, accordingly, the respondent



- authority is directed to pay full pension and arrears of pension to the petitioner from the date it was stopped within a period of three months from the date of receipt / production of a copy of this order.

(Anil Kumar Sinha, J)

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