

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6805 of 2022

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Veena Sinha widow of Late Rabindra Kumar Sinha, resident of Mohalla - Kisan Colony, Phase- II, Anisabad, Patna - 2, Police Station- Phulwari Sharif, Post Office -Anishabad, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Education Department, Bihar, Patna.
3. The Director (Administration)-cum-Additional Secretary, Education Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv. Mr. Lala Sheshendra Narayan Rais, Adv. Mr. Gyan Shankar, Adv.
For the Respondent/s	:	Mr.Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 16-05-2024

Heard learned counsel for the parties.

2. By filing the present writ application, the petitioner has prayed for the following reliefs:

(I) For quashing the order bearing Memo No. 45 dated 25.01.2022 passed by the Director Administration-cum-Additional Secretary, Department of Education whereby and where under the petitioner has been inflicted with the punishment of withholding of full pension under Rule 43(b) of Bihar Pension Rules.

(II) For issuance of appropriate writ/writs for a direction on the respondents authorities to make payment of pension, gratuities, granting leave encashment and other retiral benefits to the petitioner from the date of her retirement with all consequential benefits.



(III) For other relief(s) to which the petitioner may be found to be entitled in the facts and circumstances of the present case.

3. At the very outset, learned counsel for the petitioner submits that the writ application is squarely covered with judgment dated 27.02.2024 passed in L.P.A. No.1219/2013 and analogous cases.

4. Considering the facts as available on record and the submissions of learned counsel for the parties, this writ petition is allowed with all consequential benefits which is admissible to the petitioner in accordance with law, in view of the order dated 27.02.2024 passed in L.P.A. No.1219/2013, setting aside the order dated 25.01.2022 bearing memo no.45 (Annexure-1) issued under the signature of the Director Administration-cum Additional-Secretary, Department of Education, Government of Bihar, Patna.

5. Accordingly, this writ application stands allowed.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.05.2024
Transmission Date	NA

