

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8654 of 2022

Chandrawati Sinha Wife of Sri Upendra Kumar Sinha Resident of Hasanpur
Chai Tola Nalapur, near Shivam Apartment, Sampatchak, P.S.- Kadamkuan,
Patna- 800004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. Regional Deputy Director, Patna Division, Government of Bihar, Patna.
5. The District Programme Officer (Establishment), Patna.
6. The Principal, Government Girls High School, Bankipur, Patna.
7. The Accountant General, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Kaushik, Adv. Mr.Ujjawal Bhushan, Adv.
For the State	:	Mr.Kameshwar Kumar (Gp 17)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-04-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ application has been filed for the
following relief/s:-

*“(i). For issuance of an order, direction or a writ
of certiorari for quashing and setting aside the
office order contained in Memo No.888 dated
16.07.2021 issued under the signature of Regional
Deputy Director, Patna whereby and where under
the writ petitioner has been inflicted with the
punishment of withholding of 100% pension,*



gratuity and Leave encashment.

(ii) For issuance of an order, direction or a writ of mandamus for directing the respondent authorities to make payment of entire pensionary benefit from the date of her retirement and further for directing the respondents to make payment of arrears of pension from 01.01.2020 to the date of payment along with applicable interest.

(iii) For issuance of an order, direction or a writ of mandamus for directing the respondent authorities to make payment of gratuity, leave encashment and all other retirement dues admissible to her in consequence of quashing of the impugned order.

(iv) For issuance of an order, direction or an appropriate writ for staying the operation of the impugned order contained Memo No.888 dated 16.07.2021 during the pendency of the present writ application.”

3. In response to the decision rendered by the Establishment Committee, petitioner was dismissed from service by directing department proceeding and communicated the same to all concerned.

4. Learned counsel for the petitioner submits that petitioners' case is squarely covered by the judgment passed by this Court in C.W.J.C. No.224 of 2023 and other analogous



cases, which were allowed in view of the L.P.A. No.1219 of 2023 dated 27.02.2024.

5. Considering the aforesaid facts, since the case of the petitioner stands on similar footing to that of the petitioners of L.P.A. No.1219 of 2023 and C.W.J.C. No.224 of 2023, there is no requirement to keep pending the present writ application.

6. Accordingly, the present writ application is allowed in view of the order passed in L.P.A. No.1219 of 2023 after setting aside the impugned order dated 16.07.2021 (Annexure-P/14) passed by the Regional Deputy Director (Education), Patna and the petitioner is also entitled for all consequential benefits.

(Anjani Kumar Sharan, J)

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