

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1684 of 2021

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Suresh Ram S/o Late Chhotan Ram Resident of Village- Bhagwan Pur, P.O.
and P.s.- Chandi, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Director, Secondary Education, Government of Bihar, Patna
3. The District Education Officer, Nalanda at Bihar Sharif
4. The District Programme Officer (Estab.) Nalanda at Bihar Sharif
5. The Treasury Officer Nalanda at Bihar Sharif
6. The Accountant General, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prabhat Kishore, Adv.
For the Respondent/s : Mr. Lalit Kishore, AG

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 21-02-2024

The present writ petition has been filed for setting aside the order dated 29.01.2020 passed by the District Programme Officer, Nalanda by which petitioner's claim, in view of the judgment of the Full Bench of this Court reported in 2019 (3) BLJ, 366 (The State of Bihar & Ors. Vs. Asha Sharma), has been rejected.

2. Learned counsel for the petitioner submits that the grievance of the petitioner is of counting the service period from 08.06.1982 in place of 01.01.1989 for the purpose of granting pension and also to pay interest of delayed periods as the delay is intentionally made even after the order and direction of the



Hon’ble High Court passed in C.W.J.C. No. 12414 of 2015. It is further submitted that the period for which the petitioner has worked as peon in Project Ram Kishun Bhimal Girls High School Chandi, Nalanda is required to be taken into consideration for the purpose of calculation of the retiral benefits, in view of the Full Bench judgment of this Court report in 2019 (3) B.L.J. 366 (The State of Bihar & Ors. Vs. Smt. Asha Sharma).

3. Considering the facts mentioned in the writ petition, I set aside the order dated 29.01.2020 passed by the District Programme Officer, Nalanda and the matter is remanded back to the respondent no. 4 with a direction to the petitioner to file a fresh representation before the concerned authority within a period of four weeks for consideration of the grievance of the petitioner. The authority is directed to consider and dispose of the said representation with a reasoned and speaking order within a period of six weeks thereafter in accordance with law.

4. Accordingly, this application is allowed.

(Anjani Kumar Sharan, J)

devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2024
Transmission Date	NA

