

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12682 of 2023

Vaijanti Kumari Wife of Sunil Kumar Sinha, Resident of Flat No. 206, Smriti Apartment D.V.C. Gate, Old Jakkanpur, Police Station-Jakkanpur, District-Patna-1, at present Assistant Teacher, Govt. Girls Middle School, Danapur, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director Secondary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Patna Division, Patna.
4. The District Programme Officer, Establishment, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh, Adv.
For the State	:	Mr.Mrigendra Kumar, AC to GP-20

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 01-04-2024

Heard learned counsels for the parties.

2. This is an application for issuance of an appropriate writ/writs setting aside the office order dated 12.07.2021 contained in memo no. 827 issued by respondent no.3 whereby punishment has been awarded to the petitioner by which 100% pension, gratuity and amount of earned leave has been withheld in exercise of power under Rule 43(B)/139 of the Bihar Pension Rules.

3. At the very outset, learned counsel for the petitioner submits that the writ petition is squarely covered with judgment dated 04.03.2024 passed in C.W.J.C. No. 224 of 2024, which was allowed in light of the judgment dated 27.02.2024 passed in



L.P.A. No. 1219/2023 and analogous cases.

4. In view of the aforesaid facts, since the case of the petitioner stands on similar footing to that of the petitioner of C.W.J.C. No. 224 of 2024, there is no requirement to keep pending the present writ application.

5. Considering the facts available on record and submissions of learned counsels for the parties, this writ application stands allowed, in view of the order dated 27.02.2024 passed in L.P.A. No. 1219 of 2023, setting aside the order dated 12.07.2021 contained in memo no. 827 passed by the Regional Deputy Director of Education, Patna Division, Patna. The respondents are directed to release the pension of the petitioner and to grant other retiral benefits as well as to pay the claimed dues of the petitioner within a period of eight weeks from the date of receipt/production of a copy of this order.

6. Accordingly, the present writ application stands allowed.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.04.2024
Transmission Date	NA

