

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6992 of 2024

Bansh Narayan Choubey Son of Late Nand Kishor Choubey, Resident of
Village and P.O.-Gosaipur, P.S.-Rajpur, District-Buxar, Bihar. ... Petitioner/s
Versus

1. The State of Bihar through Addl. Chief Secretary, Education Department, Patna.
2. Director, Primary Education, Education Department, Govt. of Bihar, Patna.
3. The Joint Director Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The District Education Officer, Buxar.
6. The Executive Officer cum Secretary, Employment unit, Nagar Parishad, Dumraon, District-Buxar, Bihar.
7. The Chairman, Education Committee cum Disciplinary Authority Employment Unit, Nagar Parishad, Dumraon, District-Buxar.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Uma Shankar Singh, Adv.
For the Respondent/s	:	Mr. Raghawanand, Government Advocate (11) AC to GA-11
For Nagar Parishad	:	Mr. Ashok Kumar Dumraon

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 10-07-2025 Heard Mr. Uma Shankar Singh, learned counsel for
the petitioner, Mr. Ashok Kumar, learned counsel appearing for
Nagar Parishad and Mr. Raghawanand, learned GA-11.

2. The petitioner has filed the present writ application claiming his retiral dues and other benefits. He retired during period of suspension on 30.11.2022 from the post of Teacher, Middle School, Khirauly, Dumraon Town. The short dispute involved in this case is that who is liable to pay the arrears of salary and the retiral benefits of the petitioner i.e., Nagar Parishad and/or by the State-Authority i.e., District Education Officer.

3. Learned counsel for the petitioner submits that



there is a conflict between the State Authority and Nagar Parishad inasmuch as the State Authority i.e., District Education Officer is saying that the arrears of salary and the retiral benefits of the petitioner during his service period shall be paid by the Nagar Parishad whereas the stand of the Nagar Parishad is that it is the liability of the State Authority.

4. Be that as it may, the present writ petition is disposed of with a direction to the petitioner to file a detailed representation before the District Education Officer, Buxar (Respondent No.5) within a period of four weeks from the date of production/receipt of a copy of this order. If such representation is filed, the District Education Officer, Buxar (Respondent No.5) shall dispose the same in accordance with law within a period of two months from the date of filing representation by the petitioner.

5. With the aforesaid direction/observation, the present writ application stands disposed of.

(Anil Kumar Sinha, J)

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