

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15940 of 2025

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Umesh Sharma S/o.- Ramjee Sharma Resident of Village-Hussaina, Raghaw,
P.O.- Balukaram, P.S and District- Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Joint Secretary, Education Department, Government of Bihar, Patna.
4. The District Program Officer, (Establishment), Jehanabad.
5. The District Education Officer, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra
For the Respondent/s : Mr. Additional Advocate General (4)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and

learned counsel for the State.

2. The instant writ application has been filed for the

following reliefs:-

(i) For commanding the concerned respondents to give all consequential benefits to the petitioner from the date of his termination order dated 24.11.2015 in light of the order passed by the Hon'ble Division Bench in LPA No.1254 of 2016 and other analogous cases since the petitioner has been superannuated from his service on 31.11.2023 and the petitioner was not reinstated in pursuant to the order of the Hon'ble Court passed in CWJC No.6486 of 2016 but still the consequential benefits including his arrears of salary have not been



paid by the concerned respondent authority from the date of his termination order till the date of his superannuated. However, similarly situated persons have already been paid their consequential benefits including arrears of their salary from the date of their respective termination orders.

(ii) For commanding the concerned respondents to pay the salary of the petitioner for the month of November 2015.

(iii) For any other relief to which the petitioner is found entitled to in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the case of the petitioner is covered by the judgment of Hon'ble Division Bench passed in LPA No.1254 of 2016 and other analogous cases, as well as of the coordinate Bench passed in CWJC No.6486 of 2016, wherein similarly situated persons were directed to be reinstated in service with all consequential benefits. However, in the case of this petitioner, similar treatment has not been extended for unexplained reasons.

4. Learned counsel for the State does not dispute the factual position and submits that the representation of the petitioner may be directed to be disposed of after examining the factual position and, if it is found that this case is also covered by the judgment indicated above, then similar treatment may be directed to be extended in favour of the petitioner.



5. Considering the aforesaid, the District Programme Officer (Establishment), Jehanabad/respondent no. 4 is directed to decide the representation of the petitioner appended as Annexure-P/8 of the writ application. If it is found that his case is squarely covered by the said judgment, then similar treatment shall be extended to him.

6. It goes without saying that the authorities will be at liberty to scrutinize each and every fact and, on conclusion, if it is found that the case of the petitioner is similar, then similar benefits shall be extended within a period of eight weeks from the date of production/receipt of a copy of this order. The petitioner shall be at liberty to bring to the notice of the concerned respondent any relevant documents for consideration of his grievances.

7. It is made clear that this Court has not expressed any opinion on the merits of the case.

8. With the aforesaid observation and direction, this application stands disposed of.

(Ajit Kumar, J)

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