

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14309 of 2022

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Rajendra Paswan Son of Late Chhuthar Paswan, Resident of Village-
Chananpur, Police Station- Arer, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary Finance Department, Government of Bihar, Patna.
4. The Director (Secondary Education), Bihar, Patna.
5. The Director (Primary Education) Bihar, Patna.
6. The Regional Deputy Director of Education, Purnea Division, Purnea.
7. The District Education Officer, Araria.
8. The District Programme Officer (Secondary Education), Araria.
9. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vishwambhar Prasad, Adv.
For the Respondent/s	:	Mr. Kameshwar Kumar (Gp17)
	:	Mr. Amit Bhushan, Ac to Gp17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

12 20-01-2026 1. The present application has been filed for direction

to the respondent/authority to add the service rendered by the

petitioner in Primary Education, Government of Bihar, for the

period 15.10.1973 to 22.07.1985 for the grant of pension.

2. The petitioner was initially appointed as Primary

Teacher on 26.09.1973 and he started working in the Primary

School, Bisfi, Madhubani, on 15.10.1973. He worked as

Primary Teacher till 22.07.1985. Thereafter, petitioner was

appointed as Assistant Teacher in the High School Jogbani,

Purnea, now Araria, on 15.07.1985. Thereafter, the petitioner



was promoted as a Headmaster and retired on 30.11.2012.

3. Learned counsel for the petitioner, referring to Annexure P/1, submits that the State of Bihar had taken a decision vide Departmental Circular/Letter No. 1191 dated 01.06.2006 to add the service rendered by the government employee for payment of pension if the government employee goes from one service to another service of the government. If application is made by such employee within 10 years from the date of his joining in another service, expressing his desire to add the previous service for the purpose of grant of pension, the same shall be considered. However, the government came out with press communique dated 02.08.2011 giving another opportunity to the government employees to submit an application expressing his or her desire to add the previous service for the purpose of pension and the cutoff date as fixed by the circular/press communique was 31.12.2011.

4. The petitioner submitted an application in this regard on 15.10.2011, i.e., within the cut-off date fixed under the circular/press communique dated 02.08.2011. The petitioner has retired on 30.11.2012 and after retirement, for the purpose of grant of pension, only the services rendered by the petitioner in the high school has been counted and the previous service



rendered by him in the primary school has not been taken into consideration.

5. Learned counsel for the State argued that the petitioner submitted his application for counting his service rendered as Primary Teacher as per the press communique on 15.10.2011 before the District Programme Officer, Secondary Education, Araria, who forwarded the application to the Director, Secondary Education, Patna, vide letter no. 703 dated 31.08.2013.

6. It has also been submitted that again a press communique was issued by the government inviting option from the government employees and to submit an application before 30.06.2017 for the purpose of counting past service for grant of pension. Last date fixed by the press communique dated 03.06.2017 having letter no. 1660 was 30.06.2017. The petitioner again submitted an application after expiry of the cut-off date on 13.09.2017 for counting his past service rendered as Primary Teacher for the grant of pension. In response to the application submitted by the petitioner, Director, Secondary Education, Bihar, Patna, vide letter no. 3011 dated 12.12.2022 and Deputy Director, Secondary Education, Bihar, Patna, vide letter no. 76 (Vidhi) dated 25.08.2023 and the District Education



Officer, Araria, vide letter no. 184 dated 26.07.2023 sent the photocopy of the service book of both services along with appointment letter and other relevant documents of the petitioner to the Director, Secondary Education, for necessary action.

7. Having heard learned counsel for the parties and taking into consideration the press communique dated 02.08.2011 and the option exercised by the petitioner dated 15.10.2011 for counting his past services rendered as Primary Teacher, let a final decision in this regard be taken by the Director, Secondary Education, within a period of three months from the date of receipt/production of a copy of this order.

8. With the aforesaid direction and observation, the present writ application stands disposed.

(Anil Kumar Sinha, J)

HarshPandey/-

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