

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10152 of 2015

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Jai Prakash Narain Singh, aged about 70 years, son of late Aditya Narain Singh, resident of village- Kalyan Bigha, P.O.- Barah, P.S.- Harnaut, District- Nalanda, at present village Kurthaul, Dariapur Road, Opposite Sachchidanand Colony, P.O.- Kurthaul, P.S.- Parsa, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
3. The Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
4. The Deputy Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
5. The Director (Ayush), Indigenous Medicine, Department of Health, Government of Bihar, Patna.
6. Bihar Public Service Commission, through its Secretary, Bailey Road, Patna.
7. The Union of India through Accountant General, Birchand Patel Path, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Niraj Kumar, A.C. to AAG-12
For B.P.S.C.	:	Mr. Sanjay Pandey, Advocate
For Respondent No.7	:	Mr. Sanjay Kumar, A.S.G.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 14-07-2015 Heard parties.

The grievance of the petitioner is that, though he was granted Super Time Scale with effect from 01.04.1985 which would be apparent from Annexure-1, i.e., minutes of the meeting of Departmental Promotion Committee held on 25.02.1997, however, but his pension has not been revised in terms thereof.

It is submitted that neither the pension has been revised considering the grant of Super Time Scale nor has A.C.P. been granted to him though such benefit has been accorded to

other similarly situated persons vide Annexure-3. In such a situation, it is contended that the petitioner has moved before the respondent no.2, i.e., the Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna by filing a representation contained in Annexures 3, 4 and 5 but no decision has been taken as yet.

Having regards to the aforementioned facts and circumstances, this writ application is being disposed of directing the respondent no.2, i.e., the Principal Secretary to take a decision in accordance with law upon the representation filed by the petitioner within a period of six weeks from the date of receipt/production of a copy of this order. It is made clear that if the petitioner's pension is required to be revised in view of either Super Time Scale granted to him or if he is entitled for grant of A.C.P. along with others who have been granted vide Annexure-3 then such a decision should be taken immediately preferably within a period of four weeks thereafter. In case, petitioner's claim does not find favour with the respondent no.2, then a reasoned order would be required to be passed.

(Dr. Ravi Ranjan, J)

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