

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12628 of 2011

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1. Sunil Kumar son of Late Ram Chandra Singh, resident of village- Kinjar P.O. Nagla Kinjar, P.S. Kinjar, Distt. Arwal

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner cum Secretary Home (Special) Department, Bihar Patna
2. The Under Secretary Home (Special) Department, Freedom Fighter Cell, Bihar, Patna
3. Dr. K.P. Sharma, son of not known, resident of near Prachin Mandir Oota Station, P.S. Jehanabad, Distt. Jehanabad, the then Jail Superintendent, District Jail, Jehanabad
4. The Union of India through the Home Secretary, Govt. of India New Delhi
5. The Joint Secretary, Govt. of India Ministry of Home Affairs Freedom Fighter Division, Lok Nayak Bhawan,, Khan Market, New Delhi-3
6. The Under Secretary, Govt. of India, Ministry of Home Affairs, Freedom Fighter Division, Lak Nayak Bhawan, Khan Market, New Delhi-3.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. PAWAN KUMAR SINGH
For the Respondent State: Mr. Rajiv Kumar, AC to GA 5
For the Union of India : Mr. Manoj Kumar Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 31-07-2015

Heard learned counsel for the petitioner and the State as well as Union of India.

Vide order dated 21st November, 2013, which is annexed as Anneuxre-9 to I A No. 2112 of 2014, claim of the petitioner has been rejected by Union of India. The same is under challenge in the said I.A.

I.A. is allowed.

The reason for non-consideration of grant of freedom fighter pension is indicated in para 4 (i) to (iii) of the order.

If necessary, remedial measure can be taken both by the petitioner as well as the State of Bihar. The claim may be re-submitted and examined by the respondent Union of India on its own merit.

Writ application is disposed of with above direction.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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