

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1513 of 2012**

**IN**

**Civil Writ Jurisdiction Case No. 14463 of 2011**

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1. Jitendra Kumar S/O Late Ambika Prasad Singh Permanent Address: Village-  
Pyarepur, Post Office- Pyarepur, Police Station- Sarmera, District- Nalanda And  
Presently Working As Assembly Operator, Bihar State Electronics Development  
Corporation Limited, Bailey Road, Patna

.... .... Appellant/s

Versus

1. The Principal Secretary, Department Of Information Technology, Govt. Of  
Bihar, Patna  
2. The Principal Secretary, Finance, Government Of Bihar, Old Secretariat, Patna  
3. The Under Secretary, Department Of Information Technology, Govt. Of Bihar,  
Patna  
4. The Manager (Marketing-Cum-Secretary), Bihar State Electronics Development  
Corporation Limited, Shastri Nagar, Patna  
5. Managing Director, Bihar State Electronics Development Corporation Limited,  
Shastri Nagar, Patna

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr Ajay Kumar Thakur  
Mr. Ajit Kumar  
Mr Avinash Kumar

For the Respondent/s : Mr. Vivekanand Singh, AC to GA 8

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**and**  
**HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

**Date: 23-07-2015**

Heard counsel for the appellant and counsel for the State.

There is no infirmity as such with regard to the order  
rendered by learned Single Judge in the given facts and  
circumstances, which was urged before him. So far as the facts of the  
present appellant are concerned, he is already way past 60 years of  
age. The Corporation was at dire financial problem at one stage of

time. If they have survived it does not mean that additional financial burden will be created only for grant of monetary benefit to the former employees like the appellant. Appellant superannuated when he reached the age of 58. The Corporation has subsequently taken a decision to extend the age of superannuation to 60 years. The appellant cannot be brought in the service under the Corporation now and even question of extending financial benefit is not required to be considered when no work was taken or performed by the appellant after his superannuation.

Appeal is dismissed.

**(Ajay Kumar Tripathi, J)**

**(Rajendra Kumar Mishra, J)**

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