

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2431 of 2015

IN

Civil Writ Jurisdiction Case No. 284 of 2011

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Shree Prakash, son of Late Mahesh Dutt Narain, resident of House No. CC-88,
Sector-C, P.C. Colony, Kankarbagh, P.S. Kankarbagh, District Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Shri Anjani Kumar Singh, the Chief Secretary, Government of Bihar, Old Secretariat, Patna
3. Shri Deepak Kumar Singh, Secretary, Water Resources Department, Government of Bihar, Patna
4. Shri Arun Kumar, Area Development Commissioner-cum-Chairman, Sone Command Area Development Agency, Sone Bhawan, Patna
5. Shri Ram Krishna Rai, Secretary, Sone Command Area Development Agency, Sone Bhawan, Patna

.... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opp. Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 05-10-2015

From the second supplementary show cause filed on behalf of Sone Command Area Development Agency (hereinafter referred to as the SCADA), it appears that pension payment order bearing No. 90 dated 06.03.1993 referred to in the order of this Court dated 01.10.2015 has been withdrawn by SCADA under order bearing Memo No. 310 dated 18.10.2011, as the Government did not make its contribution and the pension fund established with the LIC could not be continued.

Counsel for the petitioner states that petitioner having

entered an agreement with his employer SCADA whereunder contributory pension scheme was to be worked, may be with the help of LIC and the same could not be worked because of the failure of the Government to make its contribution. Petitioner cannot be held liable for the same.

Aforesaid stand of the petitioner and the State/ SCADA can be better considered if petitioner assails the direction of the State Government and the SCADA not to pay him pension in the light of order dated 18.10.2011 in accordance with law.

With the aforesaid observation, the contempt petition is disposed of.

(V.N. Sinha, J)

Rajesh/-

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