

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15388 of 2014

=====

1. Narendra Kumar Sinha S/o Late Raj Mangal Prasad Sinha R/o Rajlaxmi Niwas,
Village- Parsa, P.O.- Nagwan (Naubatpur), P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Accountant General, Bir Chand Patel Path Bihar, Patna.
3. The Secretary, Department of Irrigation, Govt. of Bihar, Patna.
4. The Commissioner, Department of Irrigation, Bihar, Patna.
5. The Chief Executive Engineer, Irrigation Department, Tirhurt Canal Circle,
Ramdayalu Nagar, Muzaffarpur
6. The Executive Engineer, Water Wage Department, Ramdayalu Nagar,
Muzaffarpur
7. The Superintending Engineer, Water Wage Department, Ramdayalu Nagar,
Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad

For the Respondent/s : Mr. GA-5

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 20-08-2016

Petitioner is an appointee by way of absorption on 14.8.2008. Since the new pension scheme came with effect from 1.9.2005, there cannot be any direction for payment of pension, gratuity etc. to the petitioner. The stand of the respondents, however, is that other entitlements in terms of the contributory pension scheme has already been paid and settled with the petitioner. If this is so, the expectation of the petitioner for grant of pension etc. in the given facts and the rules is a misplaced expectation. No direction can be issued.

It is, however, evident from the assertion of the

petitioner himself in paragraph 5 that he is fighting a legal battle, which is now pending before the High Court as a Second Appeal, which is numbered as 435 of 1999. Let the petitioner, therefore, get the hearing of the Second Appeal expedited. No further order is needed in the above given facts.

Writ is disposed of.

(Ajay Kumar Tripathi, J)

sk

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	20.8.2016
Transmission Date	