

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12673 of 2016

Most. Ramita Devi Wife of Late Birendra Prasad Singh, resident of Village Raipatti, Post Office and Police Station Dighwara District Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary to the Government of P.H.E.D. Bihar, Patna Bisheshwaraiya Bhavan, Bailey Road, Patna.
2. The Chief Engineer, (Mechanical) P.H.E.D., Bihar Patna Bisheshwaraiya Bhavan, Bailey Road, Patna.
3. The Superintending Engineer, P.H.E. Circle, Gaya.
4. The Executive Engineer, P.H.E. Division, Aurangabad.
5. The Accountant General Bihar Veerchand Patel Marg, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 17-09-2016

Heard learned counsel for the parties.

The claim of the petitioner is that despite having worked in the work charge establishment from 05.12.1979 till 16.11.2012 i.e., for more than 33 years, he has been denied his pensionary benefits. It is submitted that the ground taken is that the service of the petitioner was never regularized. Learned counsel for the petitioner refers to the judgment passed by a Division Bench of this Court in the case of **State of Bihar & Ors. vs. Md. Matin & Anr.** in **L.P.A. No. 1211 of 2015** dated 23.06.2016 by which the claim for pension of an identically situated person had been allowed.

He also relies upon another Division Bench judgment in the case of **Saraswati Devi vs. The State of Bihar & Ors.** in **C.W.J.C. No. 21724 of 2012** dated 21.04.2015.

Learned counsel for the State is not in a position to dispute the fact that the present case is similar to that of L.P.A. No. 1211 of 2015.

Accordingly, adopting the reasoning given in the order dated 23.06.2015 passed in L.P.A. No. 1211 of 2015 as well as order dated 21.04.2015 passed in C.W.J.C. No. 21724 of 2012, the writ petition stands allowed in similar terms.

(Ahsanuddin Amanullah, J)

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