

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

**Civil Writ Jurisdiction Case No.11846 of 2016**

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Ram Shankar Pandey, S/O Late Baidyanath Pandey, resident of village & P.O. Fatehpur, P.S. Sheohar, District- Sheohar.

.... .... Petitioner/s

Versus

1. The State of Bihar through Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Chief Engineer (North), Building Construction Department, Govt. of Bihar, Patna.
3. The Superintending Engineer, Building Construction Department, Sheohar Dist-Sheohar.
4. The Executive Engineer, Building Construction Department, Building Division, Sheohar.
5. The Accountant General, (A & E) Bihar, Patna.

.... .... Respondent/s

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**Appearance :**

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| For the Petitioner/s       | : | Mr. Rajesh Kumar with<br>Mr. S. K. Karn, Advocates.              |
| For the State              | : | Mr. Chittaranjan Sinha, PAAG-2<br>Ms. Ratna Kumari, AC to PAAG-2 |
| For the Accountant General | : | Mr. Maniesh Kumar, Advocate.                                     |
| For the Respondent/s       | : | Mr. AAG2- DEVENDRA KUMAR SINHA                                   |

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**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 12.02.1982 till 31.05.2012 i.e., for more than 30 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)**

P. Kumar

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