

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23161 of 2013

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1. Bihar Rajya Tahasil Sangrahaak Sangh, Patna through its President Dina Nath Singh Son of Late Ram Dayal Singh resident of village - Panapur, P.S. Sadar Hajipur, District - Vaishali
 2. Kapildeo Vishwakarma Son of Late Sukhari Vishwakarma resident of village - Nadiawan, P.S. Kako, District - Jehanabad at present Vice President of the Bihar Rajya Tahasil Sangrahaak Sangh, Bihar, Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna
3. The Engineer in Chief, Water Resources Department, Govt. of Bihar, Patna
4. The Chief Engineer, Patna Region, Water Resources Department, Patna
5. The Chief Engineer, Water Resources Department, Aurangabad
6. The Chief Engineer Water Resources Department, Gaya
7. The Chief Engineer, Water Resources Department, Siwan
8. The Chief Engineer, Water Resources Department, Bhagalpur
9. The Chief Engineer, Water Resources Department, Purnea
10. The Chief Engineer, Water Resources Department, Birpur
11. The Chief Engineer, Water Resources Department, Dehri (Rohtas)
12. The Chief Engineer, Water Resources Department, Muzaffarpur
13. The Chief Engineer, Water Resources Department, Darbhanga
14. The Chief Engineer, Water Resources Department, Balmiki Nagar, Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Respondent/s : M/s G.P.Ojha and Praveen Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 29-06-2016 Heard learned counsel for the petitioners and learned counsel for the State.

In this case admittedly the petitioners are daily wager and seasonal employees working in the Water Resources Department and superannuated from there, are claiming the post

retiral dues.

The pension can not be given to a person, who has not been substantively appointed in terms of Bihar Pension Rules.

So far other retiral dues is concerned, if any deduction has been made from the salary of the petitioners, in that circumstances, the respondents are obliged to make payment of those deducted amount as well as the petitioners if so advised, may claim the gratuity under the Payment of Gratuity Act, 1972 before the appropriate authority.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

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