

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16090 of 2014

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1. Union of India through the General Manager, East Central Railway, Hajipur (Vaishali)
 2. Divisional Railway Manager, East Central Railway, Samastipur
 3. Divisional Railway Manager (P), East Central Railway, Samastipur
 4. Assistant Divisional Engineer, East Central Railway, Narkatiaganj, District- West Champaran

.... Petitioners

Versus

1. Deep Narayan, son of Late Basudeo, Resident of Village- Masaha Alam, P.O.- Bengahi, P.S.- Bairagania, District- Sitamarhi

.....Applicant/Respondent

2. Sri Bachha Rai, son of not known clerk under ADEN, East Central Railway, Narkatiaganj, (West Champaran)

....Proforma Respondent

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Appearance :

For the Petitioners : Mr. Siddhartha Prasad, Advocate

For the Respondents : Mr. Mahesh Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 05-04-2016

The challenge in the present Writ Petition is to the order passed by the Central Administrative Tribunal dated 9th July, 2010 whereby the applicants before the Tribunal had been entitled to Old Pension Scheme having been appointed prior to 01.01.2004.

Similar issue came up for consideration before this Bench in CWJC No. 11096 of 2014 wherein it has been held that New Pension Scheme could not be applicable to the applicants who have been conferred temporary

status prior to 01.01.2004.

In view of the aforesaid decision, we do not find any merit in the present Writ Petition. Accordingly, the same is dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Anjani/-

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