

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12678 of 2013

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Rajendra Paswan S/O Late Rooplal Paswan Resident Of Village - Sagi, Post Office
- Daulatpur, P.S. - Khodawandpur, District – Begusarai.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Revenue Department,
Govt. Of Bihar, Patna
2. The Collector Begusarai, Dist - Begusarai
3. The Anchaladhikari Bhagwanpur, Anchal Bhagwanpur, P.S. - Bhagwanpur,
District - Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh, Adv.
Mr. Krishna Pd. Singh, Adv.

For the Respondent/s : Mr. M.N.H. Khan, SC-01
Mr. Harun Quareshi
Mr. Naushaduzzoha, AC to SC-01

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 30-09-2016

Heard learned counsel for the petitioner and counsel
for the State.

Though learned counsel for the petitioner in his
pleadings has nowhere stated that he has not been paid the minimum
pension but, during argument, he has submitted that he has not been
paid even the minimum pension.

From the records, it appears that the petitioner was
appointed in the year 1993 and superannuated on 31.12.2010 i.e. for
about 17 years the petitioner has discharged his duty in the State of
Bihar but, he has been deprived of the pension. Though the petitioner

has claimed for the salary but, without any particular date appears to be without basis. That cannot be agitated after a lapse of such a long time.

Be that as it may, if the petitioner has not been paid any pension, he is directed to file a fresh representation to the Collector, Begusarai who will examine the case of the petitioner and if it is found that the petitioner is entitled for the pension, he will pass a reasoned order in accordance with law within a period of three months from the date of filing of the representation by the petitioner.

It is made clear that if it is found that the petitioner is entitled for the pension, it goes without saying that he will be also entitled for the consequential benefit.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	5.10.2016
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