

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1611 of 2014
In
Civil Writ Jurisdiction Case No. 7319 of 2013

- =====
1. Zila Parishad Seva Nivrit Karmchary Sangh, Bihar through its Adhayaksh
 2. Dr. Vishnu Deva Narayan Sinha Son of Late Chaturbhuj Lal Resident of Mohalla - Madhopur, P.S.- Kotwali, District - Munger

.... Appellant/s

Versus

1. The State of Bihar through its Secretary Govt. of Bihar, Patna
2. The Commissioner cum Secretary, Department of Finance, Govt. of Bihar, Patna
3. The Principal Secretary, Department of Panchayat Raj, Govt. of Bihar, Patna
4. Director, Panchayati Raj Nideshalaya, Govt. of Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Appellant/s : None
For the Respondent/s : Mr. Anil Kumar Sinha, GA-1
Ms. Aditi Hansaria, AC to GA-1

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

9 24-08-2017

None appears for the appellants. Mr. Anil

Kumar Sinha for the respondent is present.

Seeking exception to an order dated
04.12.2013 passed by the learned Writ Court in C.W.J.C. No.
7319 of 2013, rejecting the claim of the appellants, a registered



Trade Union and imposing a cost of Rs. 25,000/-, this appeal has been filed under Clause-X of the Letters Patent.

The appellants Trade Union is claiming parity with the employees of the State Government or the Zila Panchayat in the matter of granting them pensionary benefits. Learned Writ Court in detail has gone into various issues and found that Hon'ble Supreme Court on 24th of November, 1998 vide Annexure-7 and the Division Bench of the Patna High Court in various other cases have rejected identical claims and after reproducing the order passed by the Hon'ble Supreme Court and the Division Bench of this Court, learned Writ Court has rejected the claim of the appellants.

We find no error in the order passed by the learned Writ Court as far as rejection of the appellants' claim is concerned. However finding that appellants are consistently approaching this Court by filing various petitions, learned Writ Court imposed cost of Rs. 25,000/-.

In the facts and circumstances of the case, we allow this appeal to the extent of setting aside the award of imposing cost of Rs. 25,000/-. Finding no error in the order passed by learned Writ Court, we dispose of the appeal with the aforesaid limited relief to set aside the cost imposed.



With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

U			
---	--	--	--

