

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12615 of 2014

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1. Shiya Devi W/o Late Muneshwar Mandal Resident of Village- Mithauli, Police Station- Rahika, District- Madhubani.
 2. Shiv Chandra Mandal S/o Late Muneshwar Mandal, Resident of Village- Mithauli, Police Station- Rahika, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Madhubani.
3. The Chief Engineer, Public Works Department (Building Division), Patna.
4. The Superintending Engineer Public Works Department (Building Division) Darbhanga.
5. The Executive Engineer, Public Works Department (Building Division) Madhubani.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 12638 of 2014

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Dropdi Devi Wife of Late Mahadeo Das resident of Village- Pasia, P.S Madhupur and District- Deoghar (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Joint Secretary, Water Resources Department, Government of Bihar, Patna.
4. Chief Engineer, Water Resources Department, Veerpur, Supaul.
5. District Magistrate, Supaul.
6. The Superintendent Engineer, Canal Circle Water Resources Department, Saharsa.
7. The Executive Engineer, Irrigation Division, Water Resources Department, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhas Ranjan, Advocate Mr. Bhola Kumar, Advocate
For the Respondent/s	:	Mr. S. Krishna, A.C. to S.C. 11 Mr. M. Nath Roy, A.C. to S.C. 4 Mr. Arvind Ujjwal, S.C. 4

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 10-02-2017

Heard learned counsel for the parties.

2. The issue whether the Work Charged Employee is entitled to pension or Family Pension without regularization of services has been examined by a Division Bench of this Court in a case reported as The State of Bihar & Ors. Vs. Bimli Devi, 2016 (1) PLJR 452. The Division Bench has relied upon the Supreme Court judgment reported as Uttar Haryana Bijli Vitran Nigam Ltd. & Ors. Vs. Surji Devi, (2008) 2 SCC 310 to hold that Work Charged Employee is not entitled to pension or Family Pension, as the case may be, without regularization of the services.

3. In view of the said judgment, the question of law having been answered in another case, the writ applications are dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	A.F.R.
CAV DATE	N.A.
Uploading Date	16.02.2017
Transmission Date	

