

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12349 of 2015**

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Yamuna Prasad Mishra S/o Late Pandit Harivansh Mishra, R/o Village-  
Bahuara, P.O.- Basudhar, Thana- Itarhi, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna
2. The State of Bihar, Additional Secretary, Department of Finance
3. The State of Bihar, Health Secretary, Department of Health, Medical Education and Family Welfare
4. The Accountant General, Bihar, Patna/Ranchi
5. The Director (Desi Chikitsa), Govt. of Bihar, Patna
6. The Principal, Rajkiya Shri Dhanwantri Ayurvedic College and Hospital, Ahirauli, Buxar

... .. Respondent/s

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**Appearance :**

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|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr. Digvijay Kumar Ojha        |
| For the Respondent/s | : | Mr. Rabindra Kumar Priyadarshi |
|                      |   | Mr AC to SC 14                 |

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**ORAL ORDER**

4      22-09-2017              Heard counsel for the petitioner, Accountant General and  
AC to SC 14.

Since the service of the petitioner was not regularized and absorbed in the Ayurvedic College in question, after due scrutiny in terms of the order passed by the High Court earlier, the writ application, which has been filed for a direction upon the respondents to pay him pension and other benefits, is misplaced kind of expectation to have. Only a regular and validly appointed employee can claim and beget pension whatever be the earlier status of the petitioner, which will have no reflection on his current status.



Since the petitioner has been removed, his service has not been accepted to be valid.

Writ application is dismissed.

**(Ajay Kumar Tripathi, J)**

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