

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.755 of 2016

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1. Chandra Kishore Mishra, Son of Late Satya Narayan Mishra, Resident of Village- Tilakpur, P.S- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The District Magistrate- cum- Collector, Bhagalpur.
3. The Additional Collector (Establishment), Bhagalpur Collectorate, Bhagalpur.
4. The Accountant General, Bihar, Patna, Bir Chand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Adv.

For the Respondent/s : Mr. Anil Kumar, GP23

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 27-08-2018

A counter affidavit is being filed on behalf of the Accountant General. Let it be kept on record.

The petitioner was appointed as a Clerk in the Bhojpur Collectorate vide Memo No. 326 dated 31.12.2002 and superannuated from service with effect from 31.8.2012. Since he has been denied superannuation benefits that after representing the Government for counting of his service in the Census Department from 05.01.1981 to 28.02.1982 which is about 20 years prior to his joining regular service that the present writ petition is filed and when the claim is opposed by Mr. Rajesh Kumar, A.C. to G.P.23 and Mr. R.K. Chaubey appearing for the Accountant General in reference to the affidavit filed to submit that there is no circular allowing an employee to count past services



rendered in the Census Department.

The matter was heard on 18.08.2018 and when time was granted to counsel for the petitioner to bring on record any circular which would support his claim but nothing has been placed on record of the writ application and in the circumstances noted no relief can be granted to the petitioner.

The writ petition is dismissed accordingly.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2018
Transmission Date	NA

