

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15637 of 2014

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Daya Ram Yadav, Son of Late Sitaram Yadav, R/o Village-Kabaria, P.S.-Sadar
Darbhanga, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
4. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
5. The Collector, Darbhanga, District-Darbhangha.
6. The S.P. Darbhanga, District-Darbhangha.
7. The Superintendent of Jail, Bhagalpur Central Jail, Bhagalpur, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Adv.
For the Respondent/s : Mr. Pushkar Narain Shahi, AAG-6

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 03-12-2018

The petitioner is aggrieved by the action of the respondent authorities in his being refused to be paid J.P. Senani Pension under the J.P. Senani Samman (Pension) Scheme, 2009.

2. Mr. Pushkar Narain Shahi, learned Additional Advocate General No. 6, submits that for the petitioner to be paid the aforesaid pension, he is required to demonstrate that he was arrested within 1974 to 1977 and that also in



connection with either Maintenance of Internal Security Act (MISA) or Defense of India Rules (DIR).

3. Let a representation be made by the petitioner along with the proof of the fact that his arrest was pursuant to his being implicated either for violation of MISA or DIR before respondent No. 3 within a period of four weeks and on receipt of such application, the respondent No. 3, after giving the petitioner a hearing, shall take a call whether the petitioner is entitled to be paid the pension or not. In case, it is found that he is entitled for the same, necessary/sequel orders shall be passed by the respondent No. 3 within a period of six weeks to be counted from the date of submission of the representation of the petitioner.

4. With the aforesaid observation, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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