

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12075 of 2017

-
-
1. Sanjay Kumar, Son of Sri Ram Babu, Resident of Mohalla & P.O. Bishunpur Pakari, P.S. Beur, Town and District Patna, PIN-800002.
 2. Sudhir Kumar, Son of Late Saryug Prasad Srivastava, resident of Saristabad Road, P.O. Patna G.P.O., P.S. Gardanibagh, Patna-800001.
 3. Devendra Kumar, Son of Sri Nageshwar Prasad Singh, Resident of Village-Chakian, P.O. Saraset, P.S. Naubatpur, District Patna.
 4. Premchand Singh, Son of Late Shyamal Kishore Singh, Resident of Village & P.O. Aroha, P.S. Dhelada, District Madhepura.
 5. Md. Shahid Ali, Son of Late Abdul Qaiyam, resident of Wariskunj (Aalamganj Chauki), P.S. Guljarbag, District Patna.
 6. Subodh Kumar, Son of Sri Budhan Pandit, Resident of Village-kahari Tola, P.O. Sarai, Thana-Maner, District Patna, PIN-801113
 7. Ram Babu Malakar, Son of Late Ramadhar Malakar, Resident of Village & P.O. Chausa, District Buxar, PIN-802114.
 8. Sanjay Kumar Mishra, Son of Sri Swambar Mishra, Resident of Village-Lalpur, P.O. & P.S. Singhwara, District Darbhanga.
 9. Amrita Kumari, Wife of Sri Vinay Kumar, Resident of Mohalla Hanuman Nagar, P.O. Lohia Nagar, Town and District Patna.
 10. Rintu Kumari, Wife of Sri Arjun Kumar Singh, Govt. Quarter No. 21, Road No. 1, Kajipur, P.O. Kadamkuan, P.S. Kadamkuan, Town and District Patna
 11. Devendra Kumar Paswan, Son of Late Harilal Paswan, Resident of Village-Bhukha Tola, P.S. Maheshkhut, Khagaria.
 12. Raj Kumar Rajak, Son of Late Visho Rajak, Resident of Village-Tajpur, P.O. Gokhale, Vishanpur, P.S. Balia, District Begusarai.
 13. Binod Kumar, Son of Ram Narayan Yadav, Resident of Village-Fakirna, P.O. Motipur, P.S. Karjain, District Supaul, PIN-821115.



14. Sanjeev Kumar, Son of Bishnudeo Thakur, Resident of Mohalla-Veer Kunwar Singh Nagar, Road No.1, Janta Road, Patna-800001.
15. Devendra Kumar Singh, Son of Sri Taniklal Prasad Singh, Resident of Village-Sobhandih, P.O. & P.s. Havbeli Khargagpur, District Munger, PIN-811213.
16. Binod Kumar Ram, Son of Sri Yadhunath Ram, Resident of Village-Raja Ram Narahawa, P.O. Narahawa, Shukla, P.S. Gopalpur, District Gopalganj, PIN-841503.
17. Manoj Kumar, Son of Rameshwar Chaudhary, of LIG-507, Hanuman Nagar, P.S. Kankarbagh, Patna-800020.
18. Chandra Shekhar Yadav, Son of Late Ram Lakhan Yadav, at & P.O. Shukhapura, Via Meriganj, District Araria.
19. Pramod Kumar Gupta, Son of Sri Rajgir Gupta Resident of Village-Sheogarh, P.S. Ditiyana, District Patna.
20. Vimal Yadav, Son of Late Kameshwar Yadav, Resident of Village +P.O. Shivnar, P.S. Mokama, District Patna.
21. Rakesh Kumar, Son of Shiv Nandan Mahto, Qr. No. 31, Road No. 1, P.O. Bankipur, P.S. Kadamkuan, Town & District Patna.
22. Ravikant Kumar, Son of Shiv Nandan Thakur, Resident of Village-Sultanpur, P.S. Danapur, District Patna.

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Secretary, Department of Finance, Govt. of Bihar, Old Secretariat, Patna.
3. The Secretary, Department of General Administration, Govt. of Bihar, Old Secretariat, Patna.
4. The Commissioner, Patna Division, Patna.
5. The District Magistrate, Patna. Collectorate, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Advocate
For the Respondent/s : Mr. Ajay Kumar Rastogi -AAG-10

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY



ORAL ORDER

3 24-08-2018 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners applied against the advertisement nos. 50, 51 and 55 of 1998, but they have been appointed in the year 2007. As per Government's new Policy, the petitioners are covered under the Contributory Provident Fund scheme.

Learned counsel for the petitioners submits that as the advertisement was published in the year 1998, it took several years for their appointment, and as such, the petitioners should be governed by the Old Pension Scheme and placed reliance on the order passed by this Court in C.W.J.C. No.10901 of 2006, which has been decided on 03.08.2011 (Annexure-5 to this writ petition).

It appears that the petitioners have filed representation to the competent authority for redressal of their grievance, which is still pending.

In such view of the matter, let the competent authority decide the representation filed by the petitioners in light of the judgement dated 03.08.2011 passed in C.W.J.C. No.10901 of 2006 and take decision in accordance with law.



With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

U			
---	--	--	--

