

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4406 of 2011

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Rajendra Prasad Singh S/O Late Rama Prasad Singh R/O Vill-Sabalpur Babhan
Toli, P.S.Sonepur, Distt-Chapra

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Industrial Development Commissioner-Cum-Secretary, Department Of Industries Bihar, Patna
3. The Director Of Industries Bihar, Patna
4. The Secretary, Finance (Bureau Of Public Enterprises) Finance Department Bihar, Patna
5. The Secretary, Personnel & Administrative Reforms Department Bihar, Patna
6. The Deputy Secretary, Industries Department Bihar, Patna
7. The Managing Director, Bihar State Small Industries Corporation Indira Bhawan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Narayan Prasad

For the Respondent/s : Mr. Prashant Pratap GP6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 07-09-2018

1. The present writ petition has been filed for keeping the petitioner in service till he attains the age of superannuation i.e. 60 years.

2. The question involved in the present case is no longer *res integra*, inasmuch as the same has been settled by a judgment passed by this Court dated 16.10.2009 in CWJC no. 10355 of 2009, as upheld by the learned Division Bench by a judgment dated 12.09.2017 passed in L.P.A. no. 244 of 2010, whereby and whereunder it has been found that the amendment under Rule 73 of



the Bihar Service Code shall also be applicable to the Corporations. Accordingly, the learned Single Judge, by the judgment dated 16.10.2009, has held that the employees of the Corporations would also superannuate upon attaining the age of 60 years.

3. In view of the aforesaid, the present writ petition is allowed in terms of the order dated 16.10.2009 passed in CWJC no. 10355 of 2009 as upheld by a learned Division Bench by a judgment dated 12.09.2017. It is needless to state that the benefits which has enured to the writ petitioner of the aforesaid case would also enure to the petitioner herein.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.09.2018
Transmission Date	NA

