

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7736 of 2019

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1. Suresh Ram S/o Late Khaderan Ram Resident of Mohalla- Takiyapar, Digha Diyara, P.O.- Digha, P.S.- Danapur, District- Patna.
 2. Lalmuni Devi W/o late Babu Lal Ram Resident of Mohalla- Ramjichak, Gandhi Gali, P.O.- Bataganj, P.S.- Danapur, District- Patna.
 3. Suraj Ram S/o Shri Jagdhari Ram Resident of Mohalla- Tarachak, P.O.- Danapur Cant, P.S.- Danapur, District- Patna.
 4. Umesh Ram S/o Late Mangal Ram Resident of Mohalla- Tarachak, P.O.- Danapur Cant, P.S.- Danapur, District- Patna.
 5. Ram Nath Ram S/o Late Jai Kishun Ram Resident of Mohalla- Sultanpur, P.O.- Danapur Cant, P.S.- Danapur, District- Patna.
 6. Vijendra Kumar S/o Late Beni Lal Rai Resident of Mohalla- Naya Tola, Saguna, P.O.- Danapur Cant, P.S.- Danapur, District- Patna.
 7. Kalawati Devi Late Kanhai Ram Resident of Mohalla- Bibiganj, Panchu Chak, P.O.- Danapur Cant, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The Principal Secretary Urban Development and Housing Department, Govt. of Bihar, Patna.
3. The Director-cum- Dy. Secretary Urban Development and Housing Department, Govt. of Bihar, Patna.
4. The Joint Secretary Urban Development and Housing Department, Govt. of Bihar, Patna.
5. Nagar Parishad Danapur Nizamat, Danapur, Patna, represented through its Municipal Executive Officer, Nagar Parishad, Danapur Nizamat, Danapur, Patna.
6. The Municipal Executive Officer Nagar Parishad, Danapur Nizamat, Danapur, Patna.
7. The Municipal Chairperson Nagar Parishad, Danapur Nizamat, Danapur, Patna.
8. The Empowered Standing Committee Nagar Parishad, Danapur Nizamat, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S. P. Srivastava, Adv. Mr. Santosh Bharti, Adv. Miss. Anu Priyadarshini, Adv.
For the Resp. No. 5 to 8	:	Mr. Ajat Shatru, Adv.
For the State	:	Mr. Suresh Kumar, SC to GP-1



CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioners and learned counsel for the State.

No one appears on behalf of the Nagar Parishad, Danapur.

Petitioners who are retired employees under the Nagar Parishad, Danapur claim retiral benefits and benefits of ACP in terms of 4th, 5th and 6th of Pay Revision Committee along with statutory interest.

It has been submitted by the learned counsel for the petitioner that some employees of the Nagar Parishad, Danapur have been paid the retiral benefits and refers to the case of Ram Nagina Singh who had filed CWJC No. 15187 of 2015 which was disposed of on 31.01.2018 with an observation that retiral dues have been paid and pension already fixed. It has been submitted by the counsel for the petitioner that no such decision is being taken in their cases although as per the Bihar Litigation Policy, similarly situated persons should be treated similarly.

Considering the nature of claim made by the petitioners, this writ application is disposed of with a direction to the respondent no. 6, The Executive Officer of the Nagar Parishad, Danapur to fix the pension and clear the dues of the



petitioners as is being calculated in case of other employees and
make payment of the same within a period of five months from
the date of receipt/production of the copy of this order.

(Nilu Agrawal, J)

devendra/priyanka

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