

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2858 of 2016

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Jwala Prasad Singh Son of Late Nand Kishore Singh, resident of Village-
Rupas Nirpur, Police Station- Athmalgola in the district of Patna.

... .. Petitioners

Versus

1. The State Of Bihar through the chief Secretary Government of Bihar, patna
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Department of Industry, Government of Bihar, Patna.
5. The Special Secretary-cum-Industrial Development Commissioner, Industry Department, Government of Bihar, patna
6. The Bihar Industrial Area Development Authority through its Managing Director, Udyog Bhawan, East Gandhi Maidan, Patna
7. The Managing Director, Bihar Industrial Area Development Authority, East Gandhi Maidan, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Sunil Kumar, Advocate
For the Respondents	:	Prachi Pallavi, AC to Advocate General, Bihar
for the BIADA	:	Mr. Kumar Priya Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-03-2019 Heard learned counsel for the petitioner as well as

learned counsel for the respondents.

Writ petition has been filed for a direction upon the respondents to treat the petitioner as a Government servant and to make payment of all benefits including the pensionary benefits from the Bihar Industrial Area Development Authority (hereinafter referred to as 'the BIADA') as is being done in the case of the State Government employees.

Counter affidavit has been filed. Specific stand of the



respondents in the counter affidavit is that in the respondent organization there is a provision of contributory pension scheme. Employees of the BIADA are not entitled to the pay structure and benefits of pension as is available to the State Government employees. Averments have been made relying upon the decision in the case of Shree Chand Prasad Singh, passed by this Court in C.W.J.C.No. 19748 of 2012.

The averments made in the counter affidavit have not been denied or disputed by filing any re-joinder to the counter affidavit, a copy of the which was served on the petitioner in April, 2006 itself. This Court finds force in the submissions made by learned counsel appearing for the BIADA on basis of counter affidavit.

There is no merit in the writ petition and the same is dismissed.

(Madhuresh Prasad, J)

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