

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 13239 of 2012

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Rama Shankar Prasad Singh, Son of Sri Siyadeo Narayan Singh, Resident of
Village - Fatehpur, PO + PS + District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary -cum- Commissioner, Road Construction Department,
Government of Bihar, Patna
3. The Engineer-in-Chief -cum- Special Secretary -cum- Additional
Commissioner, Road Construction Department, Government of Bihar, Patna
4. The Chief Engineer, Road Construction Department, North Bihar Zone,
Darbhanga
5. The Superintending Engineer, Road Construction Department, Saran Circle,
Hajipur, District - Vaishali
6. The Executive Engineer, Road Construction Division, Hajipur, District -
Vaishali

... .. Respondent/s

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For the Petitioner/s	:	Mr Tej Bahadur Singh, Sr Advocate with Mr Ritesh Kumar, Advocate
For the Respondent/s	:	Mr.Sanjay Kr No.1

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 05-08-2019 Heard learned Senior Counsel for the petitioner and
the respondent-State.

Learned Senior Counsel for the petitioner submits that
the petitioner is being deprived of pension by the Authorities
since they are not taking into consideration the services
rendered by him under the work charge establishment. It is
submitted that in view of the judgment of the Full Bench of this
Court in the case of Mobina Khatoon -Versus- State of Bihar &
Others, 2019 (1) PLJR 1015, the Authorities are obliged to



consider the petitioner's claim.

The Authorities should consider the petitioner's claim for being granted benefit of pension in light of the judgment passed in the case of Mobina Khatoon (supra).

In view of the limited submission, writ petition need not be kept pending.

Writ petition is disposed of with a direction to respondent No 3 to consider the petitioner's claim for being extended the benefit of the Full Bench judgment, subject to petitioner being eligible on other accounts.

Claim of the petitioner should be considered by respondent No 3 by a reasoned and speaking order in accordance with law within three months from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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