

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25644 of 2019

1. Jay Shri Sharma son of late Moshahab Singh, resident of village- Khizirsarai, P.O. and P.S. Khizirsarai, District- Gaya, Bihar, Date of retirement 31.03.2017 as helper from Gaya Division.
2. Dhananjay Mistrty, son of Yugesh Mistri, resident of village- Pauthu, P.S. Jamhor Tamoli Pauthu, District- Aurangabad, Bihar, Date of Retirement- 31.01.2017 as Helper from Gaya Division.
3. Chandra Kali Devi, wife of late Harihar Nath Pathak, resident of village and P.O. - Harpur, P.S. - Shakhund, District Bhagalpur. Date of Retirement of her husband- 31.05.2002 as peon from Bhagalpur Division.
4. Santosh Kumar, son of Yugal Kishore Sharma, resident of village -Goh, P.O.- Goh, P.S. - Goh, District- Aurangabad, Date of Retirement of his Father - 31.03.2008 as Traffic Clerk from Gaya Division.
5. Ram Vinay Sharma, son of Jai Nandan Sharma, resident of village and P.O.- Maldah, P.S.- Goh, District- Aurangabad, Date of Retirement- 31.03.2013 as conductor from Gaya Division.
6. Kaushal Kishor Kumar, son of late Tarani Kumar, resident of village and Post- East Tola Farda, P.S. - Munger, District- Munger. Date of Retirement her husband - 31.11.2012 as Traffic Clerk from Muzaffarpur Division.
7. Anil Kumar Singh, son of late Jatadhari Singh, resident of village -Virakhurh, House No. 3, Udhadih, P.O.- Sultanpur, District- Bhagalpur. Date of Retirement- 31.05.2001 as Conductor from Bhagalpur Division.
8. Ramjivan Roy, son of Kamleshwari Roy, resident of village -Bhawanathpur, P.O. Rannuchak Makandpur, P.S. Akharnagar, Ranuchakmakand, District- Bhagalpur. Date of Retirement her husband- 31.01.2007 as Conductor from Bhagalpur Division.
9. Shila Devi, wife of Govind Roy, resident of village- English, P.O. - Bishwambhar Chak, P.S.- Amarpur Fatehpur, District- Banka. Date of Retirement of her husband- 31.08.2011 as Potter from Bhagalpur Division.
10. Shyam Bihari Vishwakarma, son of Parmeshwar Vishwakarma, Resident of Village - Baheliya Bigha, P.S.- Tikari, District- Gaya, Bihar. Date of Retirement- 30.06.2011 as Conductor from Gaya Division.
11. Gopal Prasad, son of Javahar Prasad, Resident of Village - Rikabganj, P.S. and P.S. - Tikari, District- Gaya. Date of Retirement- 30.06.2010 as Traffic Clerk from Gaya Division.
12. Dev Narayan Prasad, son of Ram Prasad, Resident of Village - Murgi Bigha, P.S. - Salempur, P.S.- Salempur, District- Gaya, Date of Retirement- 31.08.2007 as Conductor from Gaya Division.
13. Indra Narayan Jha, son of Meghnarayan Jha, Resident of Village - Maharail, P.O.- Maharail, P.S. Rudrapur, District- Rudrapur, Madhubani. Date of Retirement her husband - 31.05.2011 as Artijai - C from Darbhanga Division.
14. Brij Nandan Prasad, son of Sukhoo Chand Prasad, Holding No. 542, P and T Private Colony harnichak, Balamichak More, P.s. Station- Beur, District-



Patna. Date of Retirement- 31.07.2010 as Clerk from Darbhanga Division (Jharkhand)

15. Awadhesh Kumar Ray, son of Deo Sagar Ray, resident of Village- Pahieza, P.O.- Shahpur Diyara, P.S. - Sonapur, District- Saran. Date of Retirement- 31.03.2004 as Conductor from Gaya Division.
16. Rita Devi, wife of Bal Krishna Singh, Resident of Village - Malde Chak, P.O.- Calempur, P.S.- Amarpur, District- Banka. Date of Retirement her husband - 21.10.2014 as Helper from Bhagalpur Division.
17. Rupa Devi, wife of Anandi Prasad Sah, Resident of Village - Galimpur, P.O.- Baidachak, P.S.- Amarpur, District- Banka. Date of Retirement her husband - 31.12.2011 as Driver from Bhagalpur Division.
18. Ram Prasad Sahu, son of late Budhu Sah, Resident of Village - Sonapur, P.O.- Rosera, P.S. Rosera, District- Samastipur, Date of Retirement- 31.01.2019 as traffic Clerk from Purnea Division.
19. Bijay Kumar Singh, son of late Raghunandan Singh, Resident of Mohallah- Ashok Nagar Defence Colony, P.O.- Kankarbagh, P.S. Kankarbagh, District- Patna. Date of Retirement- 31.05.2012 as Traffic Clerk from Patna Main Division.
20. Maheshwari Devi, wife of Late Tarkeshwar Prasad Singh, Resident of Village - Pokhariya, P.s.- Muffasil Nawada, P.O.- Aodhanpur, District- Nawada. Date Date of Retirement her husband - 30.09.2003 as Conductor from Gaya Division.
21. Shila Devi, wife of late Srikrishna Roy, Resident of Village - Mohallah- 263, BM SAHA Road, Hind Motor Uttarpura Kotrung (M), P.s.- Hind Motor, District- Hoogly, West Bengal, Date of Retirement her husband-31.01.2003.
22. Bhup Narayan Pandey, son of late Paras Nath Pandey, Resident of Village - Jaitpur, P.O.- Jaitpur, P.S. Daudpur, Bharvaliya, District- Saran. Date of Retirement- 31.03.2018 as Conductor from Gaya Division.
23. Kanchan Kumar Gupta, son of late Ram Brikash Prasad, Resident of Village - Digha Ramjee Chak, P.O.- Digha, P.S. Digha, District- Patna. Date of Death in harness of his father - 13.09.2005 as Conductor from Patna Division.
24. Md. Imtiyaz Ahmad, son of late Abdul Gani, near Gandhi Path, Mohalla- Takiyapar, P.S.- Nasriganj, P.O.- Nasriganj, District- Patna. Date of Retirement her husband- 28.02.2015 as Helper from Central Workshop, Patna.
25. Kamta Prasad Sharma, son of Chandrika Singh, resident of village - Dhangaon, P.O. - Poekamba, Dhangawan, P.s.- Fathehpur, District- Gaya, Date of Retirement- 31.07.2007 as Conductor from Gaya Division.
26. Shaligram Thakur, son of Akhileshwar Thakur, resident of village - Paliyar, P.O.- Barahat, P.s.- Barahat, District- Banka. Date of Retirement 31.01.2002 as Conductor from Bhagalpur Division.
27. Vasudev Mukhiya, son of Asharfi Mukhiya, resident of village- Nemua, P.S.- Laukahi, Danchhiha, District- Madhubani. Date of Retirement- 31.05.2013 as Conductor from Darbhanga Division.
28. Brahma Deo Mehta @ Brahamdeo Mehta, son of Surya Deo Mehta, resident



- of village- Ward No. 2, Pama, P.O.- Pama, P.S.- Saharsa, District- Saharsa. Date of Retirement - 31.01.2018 as Traffic Clerk from Head Quarter- Patna.
29. Ramesh Ojha, son of Gupteshwar Ojha, resident of village - Gajraj Gaurakshni, P.O.- Sasaram, P.S.- Sasaram, District- Rohtas, Date of Retirement Not known, as Helper from Patna Division.
 30. Rajeshwar Sibngh, son of Awadh Behari Singh, resident of village - Bamhaur, P.O. Shiv Sagar, P.S. Bamhaur, District- Rohtas. Date of Retirement- Not known as Conductor from Patna Division.
 31. Brij Bihari Singh, son of Bindeshwari Singh, resident of village - Bamhaur, P.O. Sheosagar, P.S.- Sheosagar, District- Rohtas. Date of Retirement Not Known as Conductor from Patna Division.
 32. Rajbansh Singh, son of Bindeshwari Singh, resident of village - Bamhaur, P.O.- Sheasagar, P.S.- Sheosagar, District- Rohtas, Date of Retirement Not Known as Conductor from Patna Division.
 33. Gauri Devi, wife of late Ram Nagina Singh, resident of village - Bamhaur, P.O.- Sheosagar, P.S.- Sheosagar, District- Rohtas. Death in harness- 2018 as Conductor from Patna Division.
 34. Kaushal Tiwari, son of Kapildeo Tiwari, resident of village - and P.O.- Pouthu, P.S. Jimhore, District- Aurangabad. Date of Retirement- ----- as Conductor from Patna Division.
 35. Shiv Narayan Tiwari, son of Radhuvir Tiwari, resident of village - Nonhar, P.O.- Nonhar, P.S.- Suryapura, District- Rohtas, Date of Retirement- ----- as Conductor from Patna Division.
 36. Md. Shamsuddin, son of Md. Kamruddin, resident of village - Barah Pathar, Babuganj More, P.S.- Dehri, District- Rohtas. Date of Retirement - ----- as Conductor from Patna Division.
 37. Devendra Prasad Singh, son of late Maheshwari Singh, resident of village - Ankupa, P.O.- Ankupa, P.S.- Kutumba, District- Aurangabad. Date of Retirement not known, as Conductor from Patna Division.
 38. Ram Janam Mehta, son of Bhikam Mehta, resident of village - Ramdihara Tola, P.O.- Ramdihara, P.S. Dinara, District- Rohtas, Date of Retirement Not Known as Conductor from patna Division.
 39. Mohammad Sultan Zainul Abdin Khan, resident of village - Dhangai, P.O.- Dhangai, P.S.- Bikramganj, District- Rohtas. Date of Retirement Not known, as Traffic Clerk from Patna Division.
 40. Baleshwar Pandey, son of Pramanand Pandey, resident of village - Pisay Chanda, P.O. Chanda, P.S. Chanda, District- Aurangabad, Date of Retirement Not Known as Conductor from Patna Division.
 41. Rampati Tiwari @ Rampati Tiwari, son of Shivjati Tiwari, resident of village - Jalalpur, P.O.- Ujjarari Sikthi, P.S. Kaimur, District- Kaimur (Bhabua). Date of Retirement Not Known as Dirver from Patna Division.
 42. Ram Pravesh Bishwakarma, son of Dukhan Mistri, resident of village - Bhudasara Lala, P.O.- Mansara, P.S.- Mansara, District- Patna. Date of Retirement Not Known as Helper from Patna Division.
 43. Surya Narayan Singh, son of late Manki Singh, resident of village - Nimarang, P.O.- Jamui, P.S.- Jamui, District- Jamui, Date of Retirement Not



Known as Conductor from Bhagalpur Division.

44. Hiranman Sharma, son of Bhojal Sharma, resident of village - Enza Gali Marufchak Ambai, P.O.- Mirjanhat, P.S. Jagdishpur, District- Bhagalpur. Date of Retirement Not known as Helper from Saran Division.
45. Jibachh Thakur, son of late Balbhadru Thakur, resident of village - Lohna East Naruar, P.O.- Lohna road, P.S.- Bhairavsthan, District- Madhubani, Date of Retirement 31.08.2003 as Mechanic - C from Darbhanga Division.
46. Daya Nath Jha, son of Haribansh Jha, resident of village - Muriyachak, P.O.- Muriya Chak, P.S.- Bisfi, District- Madhubani. Date of Retirement 31.08.2003 as Traffic Clerk from Darbhanga Division.
47. Puniyanand Ray, son of Shree Dal Ray, resident of village - Athar Mahwa, P.O.- Mahwa, P.S.- Biraul, District- Darbhanga. Date of Retirement 31.07.2008 as Traffic Clerk from Darbhanga Division.
48. Daya nand Jha @ Dayanand Jha, son of Bodh Narayan Jha, resident of village - Krishan Door Bath, P.O.- Adharpur, P.S.- Ghanshyampur, District- Darbhanga. Date of Retirement- 28.02.2015 as Conductor from Darbhanga Division.
49. Maha Lakshmi Devi, wife of Late Ram Kumar Ray, resident of village - Athar Mahwa, P.O.- Mahwa, P.S.- Biraul, District- Darbhanga. Date of Retirement of her husband 31.12.2012 as Traffic Clerk from Darbhanga Division.

... .. Petitioner/s

Versus

1. The Union of India through the under Secretary, Ministry of labour and Employment Government of India Sharan Shakti Bhawan, Rafi Marg, New Delhi.
2. The Secretary, Ministry of Labour and Employment government of India, Sharam Shakti Bhawan, Rafi Marg, New Delhi.
3. The Central Provident Fund Commissioner Employees Provident Fund Organisation Head Office Bhavishya Nidhi Bhawan 14, Bhikaji, Cama Place, New Delhi.
4. The State of Bihar, the Principal Secretary, Transport department Government of Bihar, Vishvesaraiya Bhawan, Bailey Road, Patna.
5. The Secretary, Transport Department Government of Bihar, Vishwesaraiya Bhawan, Bailey Road, Patna.
6. The Bihar State Road Transport Corporation through its Administrator Birchand Patel Marg Patna (Bihar).
7. The Administrator, Bihar State Road Transport Corporation, Birchand Patel Marg Patna.
8. The Chief Account Officer, Bihar State Road Transport Corporation Birchand Patel Marg Patna.
9. The Director, Employee's Provident Fund Organization, Bhavishyanidhi Bhawan, R-Block, Road No. 06, Serpentine Road Near M.L.A. Flats, Patna, Bihar.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
Mr. Rohit Kumar, Advocate
For the Respondent/s : Mr. Sarvesh Kumar (Gp24)
For the Union of India : Mr. Rajesh Kumar Verma, Asst. S.G.
For the BSRTCL : Mr. P. K. Verma, Sr. Advocate
Dr. Anand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2019 Heard the learned counsel for the parties.

The petitioners have approached this Court for a direction to the respondents to provide them pensions / family pensions along with arrears to which they are entitled.

It appears that the petitioners have not yet applied in the requisite proforma and have approached this Court, strengthened by an order dated 19.04.2019 passed in C.W.J.C. No. 8220 of 2019.

This Court is of the view that there was no necessity of preferring the present petition before filing the claim in the requisite proforma.

There is no statement in the writ petition that their applications are not being entertained by the



respondents. Thus, no mandamus is required to be issued in the present petition.

The petitioners, if so advised and if they so desire, may approach the authority in the required proforma, in which event the respondents shall consider their claim and do the needful.

Writ petition stands disposed off.

(Ashutosh Kumar, J)

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