

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21078 of 2018

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Indradeo Prasad, Son of Late Lildhari Prasad, Resident of Village-Imaliya,
P.S.-Dhanarua, District-Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Chairman, Railway Board, Rail Bhawan,
Government of India, New Delhi-110002.
2. The Secretary, Railway Board, Government of India, New Delhi-110002.
3. The General Manager, East Central Railway, Vaishali-84418.
4. The Senior Section Engineer (Cand W), East Central Railway, Patna-
800001.
5. The Senior Divisional Finance Manager, East Central Railway, Danapur,
Patna 801503.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kaushik, Advocate
For the Respondent/s : Mr.Shekhar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 06-02-2020

Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present application, the challenge has been
made that the petitioner has wrongly been granted the benefit



arising from New Pension Scheme whereas he should have been given the benefit under the old pension scheme as the persons who have been appointed from the same panel has been covered under old pension scheme. It appears that the petitioner was working as Commission Vendor on temporary basis. A panel was prepared for appointment in the Indian Railway and from that panel, the appointment was made including of the present petitioner but he has entered into service on 26.03.2004 whereas the New Pension Scheme has been introduced on 01.01.2004. He continued in service up to 2012 without any demur of coverage in new pension scheme which was very much known to the petitioner. He has submitted that he should be covered by Old Pension Scheme not by New Pension Scheme. Presently, it has been argued that certain persons junior to him has been granted arising from the Old Pension Scheme, but of without substance. After five years of superannuation, he has raised the grievance that he has wrongly been put to new pension scheme rather he should be covered under the old pension scheme. The petitioner has now challenged the action of authority after superannuation as well as he has raised new points that cannot be accpeted.

3. With this observation, we find no merit in the



application. Accordingly, the same is dismissed.

(Shivaji Pandey, J)

(Anjani Kumar Sharan, J)

Nasimul/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12-02-2020
Transmission Date	N/A

