

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.88 of 2020

In
Civil Writ Jurisdiction Case No.1110 of 2017

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Ram Lakshan Singh, son of Late Jirjodhan Singh, resident of Village Gamhariya, P.S.- Mejarganj, District- Sitamarhi.

... .. Appellant/s

Versus

1. Munger Municipal Corporation, Munger through its Executive Officer/ Special Officer.
2. The Chairperson, Munger Municipal Corporation, Munger.
3. The Executive Officer, Munger Municipal Corporation, Munger.
4. The District Magistrate, Munger.
5. The District Provident Fund Officer, Munger.
6. The State of Bihar through the Secretary/ Commissioner, Urban Development Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Vaidehi Raman Prasad Singh, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-09-2021

The appellant did not exercise his option to be governed under the provisions of the Bihar Municipal Officers and Servants Pension Rules, 1987. Option was invited from the employee, but as per the undisputed averments made in the pleadings, appellant chose not to exercise such option.

Not only that, petitioner continued to avail benefits in terms of the earlier scheme (CPF). As such appellant was not



entitled to the benefits under the new Scheme.

In this view of the matter, we see no reason to interfere with the impugned order dated 21.11.2019 passed by the learned Single Judge in CWJC No. 1110 of 2017, titled as **Ram Lakhan Singh Vs. Munger Municipal Corporation & Ors.**, for there is neither any illegality nor any perversity moreso in the light of the order rendered by Hon'ble the Supreme Court in **Jogendrasinhji Vijaysinghji Vs. State of Gujarat and others, (2015) 9 SCC 1.**

The appeal stands dismissed.

Interlocutory application, if any, shall also stand dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit-

AFR/NAFR	
CAV DATE	
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