

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8043 of 2021

1. Dinesh Prasad Son of Ramakant Prasad resident of Dhaka Road Motihari, Mathiya Dih, Motihari, East Champaran, Bihar-845401, at present posted as Section Peon, R.W.D., Work Division, Motihari
2. Md. Ajjajul Haque Son of Islam Shekh resident of Amaghwad, P.o.- Bhediharawa, Belwa, West Champaran, Bihar-845449, at present posted as Section Peon, R.W.D., Work Division, Narkatiyaganj
3. Md. Nurain Ansari Son of Akhtar Ansari resident of Ward no. 10, Station Road, Chanpatia, West Champaran, Bihar-845449, at present posted as Section Peon, R.W.D., Work Division, Betiya
4. Yogendra Prasad Son of Kamal Prasad resident of village- Shripur, ward no. 12, P.o.- Shripur, Dharampur, Sugauli, District- resident of Amaghwad, P.o.- Bhediharawa, Belwa, East Champaran, Bihar, at present posted as Section Peon, R.W.D., Work Division, Motihari
5. Khurshid Alam Son of shekh Israil resident of Kathari, P.s.- Kathari, West Champaran, Bihar-845449, at present posted as Night Guard, R.W.D., Work Division, Narkatiyaganj
6. Adhik Lal Mandal Son of Banthu Mandal resident of Barhampur, Siripur, Barhampur, District- Darbhanga, Bihar-847239, at present posted as Peon, R.W.D., Work Division, Motihari
7. Chitranjan Prasad Son of Yadu Lal Prasad resident of near NH 38, Mathiya Zirat, Motihari, East Champaran, Bihar-845401, at present posted as Section Peon, R.W.D. Work Division, Dhaka
8. Parmeshwar Sah Son of Rampratap Sah resident of village- Chaita Devi Rai tola, P.s.- Chaita, District-East Champaran, Bihar-, at present posted as Section Peon, R.W.D., Work Division, Pakridayal
9. Surendra Prasad sah Son of Kapildev Prasad resident of Sapgadha Tola, Akauna, P.o.- Misauliya, East Champaran, Bihar-845415, at present posted as Section Peon, R.W.D., Work Division, Dhaka
10. Akshay Lal Ram Son of Brahmdeo Ram resident of village and P.o.- Patajilawa, Chiraia, East Champaran, Bihar-845415, at present posted as Section Peon, R.W.D. Work Division, Dhaka
11. Md. Rizwanullah Son of Md. Mobin resident of Purainia, Pirari, West Champaran, Bihar-845306, at present posted as section Peon, R.W.D. Work Division, Narkatiyaganj
12. Rajesh Kumar Pandey Son of Jageshwar Pandey resident of Braham Tola, turkaulia, East Champaran, Bihar-845437, at present posted as Peon, R.W.D., Work Division, Betiya

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, rural works department, Government of Bihar, Patna
3. The Principal Secretary, General Administration Department, Government



of Bihar, Patna

4. The Principal Secretary, Finance Department, Government of Bihar, Patna
5. The Chief Engineer, Rural Works Department, Government of Bihar, Patna
6. The Superintending Engineer, Rural Works Department, Works Division, Bettiah
7. The Executive Engineer, Rural Works Department, Works Division, Motihari
8. The Executive Engineer, Rural Works Department, Works Division, Bettiah
9. The Executive Engineer, Rural Works Department, Works Division, Dhaka
10. The Executive Engineer, Rural Works Department, Works Division, Pakrideyal
11. The Director, Provident Fund Directorate, Pant Bhawan, Bihar, Patna
12. The District Provident Fund Officer, East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rohit Mishra
For the Respondent/s	:	Mr. Kameshwar Pd. Gupta, GP 10
	:	Mr. Satya Vrat

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 14-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accepts notice for respondents.

3. In the instant petition, petitioners have prayed for the following relief/reliefs:

“(i) For directing the concerned respondents to take into consideration the initial engagement of the petitioners in the departmental for all practical purposes especially for the purposes of grant of “Old Pension Scheme”.

(ii) For directing the concerned respondents to grant Old Pension Scheme to the petitioners as they were working in the Organization prior to 01.09.2005.



(iii) For directing the concerned respondents to deduct the monthly contribution of the petitioners and to deposit the same in General Provident Fund.

(iv) For directing the concerned respondents to make necessary correction in the service book of the petitioners for giving effect to the “Old Pension Scheme” with respect to the present petitioners.

(v) For grant of any other incidental, consequential or other appropriate writ or writs to which the petitioners may be found entitled.”

4. The aforesaid relief is supported by representation at Annexure 4 series, therefore, the concerned respondent is hereby directed to examine the petitioners’ representation at Annexure 4 series within a period of four months from the date of receipt of this order. If the petitioners are entitled to service and other benefits, if any, the same shall be extended. If they are not entitled, in that event, necessary speaking order shall be passed and communicated to the petitioner.

With the above observations, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

