

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8821 of 2021

1. Bishwanath Kumar, Son of Atawar Chandra Rai, Permanent Resident of Village and P.O. Jiwar Khan Tola, P.S.- Danapur, District- Patna at present Village- Makhadumpur, P.S. Beyar, District- Patna presently posted as T.B. Attendant, Primary Health Centre Gonah, District- West Champaran, Bettia.
2. Arun Kumar Singh, Son of Rajendra Prasad Singh, Resident of Village- Manipur, P.O. Sari, P.S. Waris Nagar District Samastipur, presently posted as T.B. Attendant, Primary Health Centre Sikata, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Health Dept Government of Bihar, Patna.
2. The Director-in- Chief, Health Services, Government of Bihar, Patna.
3. The Civil Surgeon-cum- Chief Medical Officer, West Champaran, Bettiah.
4. The District Provident Fund Officer, West Champaran Bettiah.
5. The In-Charge Medical Officer, Primary Health Centre Gonah, West Champaran, Bettiah.
6. The In-charge Medical Officer, Primary Health Centre Sikata, West Champaran Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr.Sanjay Kumar, Advocate
For the State	:	Mr.S.D. Yadav, AAG-9
		Mr. Anil Kumar Verma, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

8 22-12-2022 Mr. S.D. Yadav, learned Additional Advocate General

No.9 appearing for the State has referred to paragraph 7 of the counter affidavit, which reads as follows :

"That with regard to judgment of this Hon'ble Court dated 11/02/2016 passed in CWJC No.20654 of 2010 (Raj Narayan & Ors. Vs. The State of Bihar & Ors.) it is stated and submitted that the present matter is identical



one like CWJC No.20654 of 2010 but the petitioners of CWJC No.20654 of 2010 have been extended benefit of old pension scheme after approval of the Finance Department, Government of Bihar in the light of order of this Hon'ble Court passed in CWJC No.20654 of 2010".

He submits that since the specific stand of the authorities is that the petitioners' case is identical to the case of the petitioner of CWJC No.20654 of 2010, the benefits under old pension scheme shall be extended to the petitioners, in accordance with law.

In view of the said stand, the petitioners' counsel does not raise any further dispute. He, however, submits that the authority should expedite grant of the benefits.

This Court would consider it appropriate to grant three months' time to the respondents for extending the benefits.

Writ petition is disposed of accordingly.

(Madhuresh Prasad, J)

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