

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11270 of 2015

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1. Nawal Kishore Singh S/o Late Sakaldeep Singh Resident of Village-Dharampur, P.O. P.S.- Mohiuddin Nagar, District- Samastipur.
 2. Dharendra Prasad Singh S/o Shri Ajay Kumar Singh Resident Village P.O.- Bakarpur, Via- Mohiuddin Nagar, P.S.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Home Secretary-cum-Commissioner, Government of Bihar, Patna.
2. The Home Secretary-cum-Commissioner, Government of Bihar, Patna.
3. The Collector, Samastipur, District- Samastipur.
4. The Superintendent of Police, Samastipur, District- Samastipur.
5. The Superintendent of Central Jail, Samastipur, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Aditya Singh, Adv.
For the Respondent/s : Mr. Mukul Prasad, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 13-12-2022

1. Heard the parties.

2. Both the petitioners before this Court claim monthly pension and arrears of pension for having remained in custody at the time of emergency. The said claim is in vogue in State of Bihar and pension is being provided to those who remained in custody during the emergency period as members of J.P. Senani. The respondent-State has filed its counter affidavit and it is stated that the claim of the petitioner no. 1 was examined. The first petitioner Nawal Kishore Singh was not



found to have been detained under MISA/DIR and the detention is for other reasons and other offences and hence his claim for pension was not found to be made out.

3. So far as petitioner no. 2 is concerned, his case was examined and it was found that he did not fulfill the eligibility criteria as he remained in custody for less than one month. The rejection letter dated 30.10.2015 is not under challenge before this Court.

4. Keeping in view the reply filed by the respondents, no relief can be granted to the petitioner and this writ petition is disposed of with liberty to the petitioner to challenge the concerned orders rejecting their claim if so advised.

(Sanjeev Prakash Sharma, J)

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Item no.52

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