

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1277 of 2021**

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1. Rabindra Nath Mishra Son of Late Narmadeshwar Mishra resident of village- Bela, Post Office- Aurangabad, P.s.- Aurangabad, District- Aurangabad-824101
  2. Babu Nand Singh Son of Late Ramprit Singh Resident of Village- Mahuabigha, P.o. and P.s.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Cooperative , New Secretariat, Bailey Road, Patna-800001
2. The Registrar Cooperative Societies, Bihar, New Secretariat, Bailey Road, Patna-800001
3. The Aurangabad District Central Cooperative Bank, Aurangabad through its Managing director,
4. The Managing director, Aurangabad District Central Cooperative Bank, Aurangabad-824101
5. Board of Directors through Managing Director Cum Member Secretary, Aurangabad District Central Cooperative Bank, Aurangabad-824101
6. The Regional Provident Fund Commissioner, Employees Provident Fund Organization, Road No. 6, R-Block, Patna-800001
7. The Manager, Pension and Group Insurance Department, Divisional Office, Life Insurance Corporation of India, 1st Floor, Jeevan Prakash Building, Fraser Road, Patna-800001

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr. Umesh Pathak, Advocate<br>Mr. Uma Kant Mishra, Advocate      |
| For the Respondent/s     | : | Mr. Mr. Sanjay Kumar, Advocate<br>Mr. T.N. Ambastha, AC to SC 26 |
| For the Respondent No. 6 | : | Mr. Prashant Sinha, Advocate                                     |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**

**Date : 06-12-2022**

Heard Mr. Uma Kant Mishra, learned counsel appearing  
on behalf of the petitioners, Mr. Sanjay Kumar, learned counsel for  
the respondent nos. 3 to 5, Mr. Prashant Sinha, learned counsel for



the Employees Provident Fund Organization (Respondent No. 6) and Mr. T.N. Ambastha, learned AC to SC 26 for the State.

The present writ application has been filed seeking a direction upon the concerned respondents to compute and pay the petitioners benefit of pension and gratuity, taking into account of their past services rendered in the bank from 02.03.1988 to 01.01.1995 i.e. prior to the absorption in terms of the decision of this Hon'ble Court which stood affirmed by the Hon'ble Supreme Court. The claim of the petitioner is based upon the judgment of this Court passed in LPA No. 1332 of 2017 and LPA No. 716 of 2017 which stood affirmed by the Apex Court.

After some argument, learned counsel for the petitioners submits that for ventilating their grievance, the petitioners have filed an exhaustive representation before the respondent no. 4 on 24.09.2020 and 04.11.2020 respectively, as contained in Annexure 9 and 9/1 but till date the same have not been considered and disposed of.

Considering the prayer made on behalf of the petitioners, which has not been confronted by the learned counsel for the respondent authorities, this Court deems it apt and proper to dispose of the writ application with a direction to the respondent 4 to consider the representation of the petitioners as contained in



Annexure 9 and 9/1 to the writ application and pass a reasoned and speaking order in accordance with law, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

It is needless to observe that if the claim of the petitioners find favor, necessary consequential order would be issued.

Accordingly, the present writ application stands disposed of with the aforesaid direction.

**(Harish Kumar, J)**

shivank/-

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| AFR/NAFR          | NAFR        |
| CAV DATE          | NA          |
| Uploading Date    | 08.12.2022. |
| Transmission Date | NA          |

