

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.753 of 2019

In
Civil Writ Jurisdiction Case No.2858 of 2016

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Jwala Prasad Singh @ Jwala Singh Son of Late Nand Kishore Singh Resident
of Village- Rupas Nirpur, Police Station- Athmalgola in the district of Patna.

... .. Appellant/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary Government of Bihar, Patna.
3. The Principal Secretary Finance Department, Government of Bihar, Patna.
4. The Principal Secretary Department of Industry, Government of Bihar, Patna.
5. The Special Secretary-cum-Industrial Development Commissioner Industry Department, Government of Bihar, Patna.
6. The Bihar Industrial Area Development Authority Through its Managing Director, Udyog Bhawan, East Gandhi Maidan, Patna.
7. The Managing Director Bihar Industrial Area Development Authority, East Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Sunil Kumar, Advocate
For the Respondent/s	:	Mr.Kumar Priya Ranjan, Advocate
		Mr. Ankur Apurva Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 23-08-2022

Heard learned counsel for the respective parties.

The appellant has assailed the order of the learned
Single Judge dated 28.03.2019 passed in CWJC No. 2858 of 2016.

The appellant is an employee of Bihar Industrial Area
Development Authority (for short “BIADA”).



Short question for consideration in the present matter is whether employee of BIADA is entitle to pension/pensionary benefits under Bihar Pension Rules or any other pension Rules stated to have been framed or adopted by the BIADA or not?

The appellant counsel could not apprise this Court that BIADA have adopted to Bihar Pension Rules so as to extend pension/pensionary benefits to its employees. Further, he could not apprise this Court whether if there any separate pension Rules or BIADA, stated to have been framed or not? On this point, the appellant counsel is not in a position to apprise this Court that an employee of BIADA is an holder of pensionable post or not?

In the light of these facts and circumstances, the appellant has not made out case so as to interfere with the order dated 28.03.2019 passed in CWJC No. 2858 of 2016. Accordingly, the present LPA stands dismissed.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

