

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4212 of 2022

=====

Md. Abdul Majeed Alam Son of Md. Abdul Gafoor Alam Resident of Village
Kaswa Kherta, P.S. Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The Bihar State Road Transport Corporation through its Administrator
Pariwahan Bhawan Birchand Patel Path, Patna.
2. The Administrator, Bihar State Road Transport Corporation Pariwahan
Bhawan Birchand Patel Path, Patna.
3. The Divisional Manager, Bhagalpur.
4. The Deputy Chief Account Officer, Bihar State Road Transport Corporation
Pariwahan Bhawan Birchand Patel Path, Patna.
5. The Chief of Administrator, Bihar State Road Transport Corporation,
Pariwahan Bhawan, Patna.
6. The Chief Mechanical Engineer, Bihar State Road Transport Corporation
Pariwahan Bhawan, Patna.
7. The Depot Superintendent, Bihar State Road Transport Corporation, Jamui.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Nand Kishore Prasad Sinha, Adv.
For the State	:	Mr. Prabhat Kumar Verma, Adv.
For B.S.R.T.C.	:	Ms. Divya Verma, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 05-07-2023 Heard Mr. Nand Kishore Prasad Sinha, learned

counsel appearing on behalf of the petitioner, Mr. Prabhat

Kumar Verma, learned counsel appearing on behalf of the State

and Ms. Divya Verma, learned counsel appearing on behalf of

the Bihar State Road Transport Corporation.

2. The present writ petition has been filed for the

following relief(s) which is reproduced hereinafter:

*That this is an application for issuance
of an appropriate writ order or direction directing*



the Respondents to make payment of retiral dues to the petitioner after his retirement from the post of Helper with effect from 31-01-2021 from the Head Office Pariwahan Bhawan Patna but till today the amount of retiral dues has not been paid to the petitioner by the Respondents and as such the action of the Respondents is not sustainable in law and thus vitiated.

3. As per the facts of the case the petitioner was appointed on the post of Casual Helper on 02.04.1979 at Jamui Deport under Bhagalpur Division and superannuated from his service on 31.12.1987.

4. Learned counsel appearing on behalf of the petitioner inform this Court that certain retiral dues have been paid to the petitioner during the pendency of the present writ petition. However, with respect to regularization of the petitioner, in light of letter no. 167, dated 11.03.1980, issued by the Chief Mechanical Engineer, the petitioner has been denied the benefit of pension. Learned counsel submits that petitioner has been taken into regular establishment in 1987, which entitles him for grant of pension. Learned counsel has submitted that similarly situated persons have been given pension.

5. Considering the disputed question of facts, the petitioner, if so advised, may file a detail representation before the Administrator, Bihar State Road Transport Corporation, respondent no. 2, bringing on record all the relevant documents



in support of his case including his entitlement on the basis of equality.

6. The Administrator, Bihar State Road Transport Corporation, respondent no. 2 is directed to dispose of the representation of the petitioner after giving him proper opportunity of hearing.

7. In case the petitioner is entitled for pension and other benefit, arising out of the peculiar facts of case of the petitioner, the same be paid to him within a period of six weeks from the date of filing of representation.

8. Accordingly, the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

U			
---	--	--	--

