

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.217 of 2017

In
Letters Patent Appeal No.137 of 2015

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Vijay Kishor Sinha and Ors

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Opposite Party/s

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with
CIVIL REVIEW No. 218 of 2017
In
Letters Patent Appeal No.209 of 2015

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Ismahmmad Mian and Ors

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Opposite Party/s

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Appearance :

(In CIVIL REVIEW No. 217 of 2017)

For the Petitioner/s : Mr. Anuj Dilbar Krishna, Advocate
Mr. Manjeet Pathak, Advocate

For the Opposite Party/s : Mr. Shashi Shekhar Tiwary, AC to AAG-13

(In CIVIL REVIEW No. 218 of 2017)

For the Petitioner/s : Mr. Anuj Dilbar Krishna, Advocate
Mr. Manjeet Pathak, Advocate

For the Opposite Party/s : Mr. Shashi Shekhar Tiwary, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

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

12 16-05-2023

The present Civil Review application No.217 of 2017
is filed for recalling the order dated 04.04.2016 passed by the
Division Bench of this Hon'ble Court in LPA No. 137 of 2015.
There is no error apparent on the face of the record. So as to



review the order dated 04.04.2016. Even on merits, the review petitioner has not made out a case for the simple reason that he was appointed to the post of Assistant Teacher in the year 2012 whereas the new Pension scheme has been introduced on 01.09.2005.

2. Therefore, the review applicant is not entitled to have the benefit of Old Pension Scheme which was vogue prior to 01.09.2005. Identical matters are subject-matter of litigation before this Court and Apex Court in the case of ***State of Bihar and Ors. vs. Rajmati Devi and Anr. in (Civil Appeal No. 3900-3901 of 2022)*** decided on 28.05.2022 and it is aptly applicable to the case in hand insofar as the rejection of the petitioners' case that he is not entitled to have the benefit of Old Pension Scheme with reference to his date of appointment in the year 2012.

3. Accordingly, the review petition stands dismissed.

4. Pending I.As., if any, stands disposed of.

(P. B. Bajanthri, J)

(A. Abhishek Reddy , J)

gaurav/abhishek-

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