

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 21966 of 2018

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Baban Pandey S/0 Late Dinanath Pandey Resident of Village- Pandey Samail,
P.S- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Revenue and Land Reforms, Government of Bihar Patna.
3. The Collector, District-Gopalganj
4. The Chief Engineer, Water Resources Department, Siwan.
5. The Under Secretary, Water Resources Department, Government of Bihar Patna.
6. The Secretary, Finance Department, Government Of Bihar Patna
7. The Accountant General, Birchand Patel Path Patna.
8. The Executive Engineer, Water Resources Department, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Giri, Adv.
For the Respondent/s	:	Mr. Vikash Kumar- Sc11
For the A.G.	:	Mrs. Ritika Rani, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 10-02-2023 Heard learned counsel for the petitioner, counsel for
the State and counsel for the A.G.

Counsel for the petitioner submits that the present writ petition has been filed for granting the relief by way of directing the respondents to grant pension to the petitioner who has worked on the post of Amin since the year 1975 to 1993 under the Revenue Division, Gandak Project in the District of Gopalganj in the year 2014. The service of petitioner herein above came to the end as an Amin.

Counsel for the State has filed a counter affidavit in

this regard and it has been submitted that the petitioner was initially engaged as Seasonal Amin in the year 1975. From 1979 to 1993, he worked in Revenue Division, Gandak Project in the District of Gopalganj and engaged for about 4-5 months every year. He worked till February 1993 and thereafter, he was never re-engaged to work. He was also paid wages at the lowest stage of the pay scale alongwith the dearness allowance and other allowances to the post of Amin but his work was not been completed for minimum 240 days in a year.

Counsel also submits that the petitioner through his alleged son has preferred in C.W.J.C. No. 23161 of 2013 in which final order has been passed on 29.06.2016 by the Co-ordinate Bench of this Court in which it has been decided that pension cannot be given to a person who has not substantively appointed in terms of Bihar Pension Rule and with certain observation, the petition is disposed off in the backdrop of above said order passed in C.W.J.C. No. 23161 of 2013 vide order dated 29.06.2016, the present writ application has also decided.

Accordingly, there is no merit in this case and, therefore, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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