

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1368 of 2018

Arising out of

Civil Writ Jurisdiction Case No.469 of 2014

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1. Sanjeev Nayan, Son of Sri Mahendra Narayan, Resident of Shail Sadar, Ward No.23, Bhirki Tola (South), Mission Road, P.S.- Madhepura, District-Madhepura, U.P. At Present Residing At Bihar Sharif (Nalanda), P.S.- Bihar Sharif, District- Nalanda.
 2. Kumar Mukesh, Son of Ramdeo Prasad, Resident of Pachambha House, New Area, P.S.- Nawada, District- Nawada, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. Finance Commissioner-Cum-Principal Secretary, Finance Department Old Secretariat, Patna.
3. Principal Secretary, Personal and Administrative Department Old Secretariat, Patna.
4. Principal Secretary, Water Resources Department, Patna.
5. Under Secretary (Administration) Water Resources Department, Patna.
6. Superintending Engineer, Saryu Canal Khand- 5, Baharich (U.P).

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Kumar Rai, Advocate
For the Respondent/s : Mr. Sanjay Prasad, AC to AAG -4

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

7 06-01-2023 Heard Mr. Jitendra Kumar Rai, learned counsel appearing on behalf of the appellants and Mr. Sanjay Prasad, learned AC to AAG- 4, through video conferencing.

2. The present Letters Patent Appeal has been preferred against the order dated 02.08.2018 passed by the learned Single Judge of this Court in CWJC No. 469 of 2014



whereby the claim of the appellants' has been rejected and the writ petition stood dismissed.

3. After some argument, learned counsel for the appellants seeks permission to withdraw the present Letters Patent Appeal with a liberty to assail the notification dated 08.08.2013 as contained in Annexure 21, whereby, a clear stipulation has been made that the benefit of Old Pension Scheme shall not be given to the employees of other States, who were appointed on or after 01.09.2005.

4. In view of the above, the present appeal stands dismissed as withdrawn with the aforesaid liberty.

(Ahsanuddin Amanullah, J)

(Harish Kumar, J)

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