

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1774 of 2021

Patna Nagar Nigam Kamgar Union, having its registered office at East Budha Marg at Patna, through its General Secretary, Ram Yatan Prasad, aged about 65 years, Male, Son of Late Jatu Singh, Resident of Village and P.O.- Parsa Bazar, Police Station- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Urban Development Department, Government of Bihar, Patna.
2. The Patna Municipal Corporation through Municipal Commissioner cum Chief Executive Officer, Patna Municipal Corporation, Patna.
3. The Additional Commissioner, Patna Municipal Corporation, Patna.
4. Executive Officer, New Capital Circle, Patna Municipal Corporation, Patna.
5. Controller Finance Account, Patna Municipal Corporation, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mani Madhukar, Advocate
For the State	:	Mr. Shiv Kumar, AC to GA 3
For the P.M.C.	:	Mr. Ranjeet Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 07-10-2023

Heard Mr. Mani Madhukar, learned counsel appearing on behalf of the petitioner; Mr. Shiv Kumar, learned AC to GA 3 for the State and Mr. Ranjeet Kumar Pandey learned counsel for the Patna Municipal Corporation.

2. Learned counsel appearing on behalf of the Patna Municipal Corporation submits that the individual members of the petitioner's Union, instead of filing pension option papers



within the prescribed time of 90 days from the date of coming into effect of Patna Municipal Corporation Officers and Services Pension Rules, 1986, have approached this Court through the Union.

3. Learned counsel for the petitioner admits that the Secretary has failed to give individual service particulars of each members of the association, who are aggrieved for non-payment of pension in accordance with the Rules governing the same.

4. In such circumstances, learned counsel submits that individual members of the petitioner's association may be given liberty to approach the Municipal Commissioner, Patna Municipal Corporation with their service particulars for claiming equal treatment, as has been given to other employees with effect from 13.11.2019, taking into consideration the past service record of the employees.

5. In case, any of the members of the petitioner's association was receiving pension in accordance with the Rules, as mentioned above, the same is directed to be continued after verifying the service records of such pensioners in accordance with law. The above exercise is directed to be completed within a period of three months from the date of passing of this order.



6. With aforesaid observation and direction, the writ
petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.10.2023
Transmission Date	NA

