

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14651 of 2023

Vinay Kumar Son of Late Shyam Narayan Singh Resident of Village-
Vasaitha, P.O.- Basantpur Patti, P.S.- Saraiya, District- Muzaffarpur, the
retired Darwan (Guard), Examination Hall, B.R.A. Bihar University,
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, B.R.A. Bihar University, Muzaffarpur.
6. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
7. The Controller of Examination, B.R.A. Bihar University, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mr. Shankar Kr. Thakur, AC to GP-27
For the B.R.A.	:	Mr. Indrajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 03-11-2023

Heard Mr. Vijay Kumar Singh, learned counsel
appearing on behalf of the petitioner, Mr. Indrajesh Kumar,
learned counsel appearing on behalf of the B.R.A. and Mr.
Shankar Kr. Thakur, learned AC to GP-27 appearing on behalf

of the State.

2. Learned counsel appearing on behalf of the petitioner submits that pursuant to the interim order dated 15.11.2022 passed by this Hon'ble High Court, the respondents were directed to take immediate lawful action for grant of pensionary benefits to Ved Prakash Singh, referring to the operative part of the judgment and order dated 25.07.2016 passed in CWJC No.6476 of 2013 (Ramji Paswan & Ors. Vs. The State of Bihar & Ors.). The relevant paragraph of the order is reproduced hereinbelow:

“In such view of the matter, this Court holds that petitioners are entitled for their pensionary benefits from the date of initial appointment and the period that has been spent will be considered for the purpose of their retiral dues. This Court is not granting the benefit of arrears of salary but is confined for the purposes of pensionary benefits”.

3. The Registrar of the B.R.A. Bihar University, Muzaffarpur, had taken steps to make payment of admissible pensionary benefits to the said Ved Prakash Singh. Learned counsel submits that the case of the petitioner being identical to that of the said Ved Prakash Singh, the petitioner also deserves equal treatment. Learned counsel in these background, seeks to

file his representation before the Registrar, B.R.A. Bihar University, Muzaffarpur.

4. The Registrar is directed to verify the service particulars of the petitioner and ensure to maintain the equality among the equals. In case the petitioner’s claim is identical with that of Ved Prakash Singh and Ramji Paswan (Supra), the petitioner deserves to be paid all the amount of retiral dues in accordance with law, as given to the said Ved Prakash Singh, taking into consideration of the initial date of appointment, for fixing the pension of the petitioner.

5. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.11.2023
Transmission Date	NA