

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3027 of 2024

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Pramod Kumar S/o Sri Sudhir Mohan Prasad, Resident of 923, Prithvi Raj Path, East Lohanipur, Kadamkuan Patna, Pin- 800003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Patna.
2. Principal Secretary, Finance Department, Government of Bihar, Patna.
3. Accountant General, State of Bihar, Patna.
4. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
5. The Department of Law, through Secretary, Government of Bihar, Patna.
6. The Law Secretary, Department of Law, Government of Bihar, Patna.
7. The Civil Court Muzaffarpur through Registrar, Civil Court, Muzaffarpur.
8. The Civil Court Patna, through Registrar, Civil Court, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar, Adv. Mr. Surendera Kumar Mishra, Adv.
For the Respondent/s	:	Mr. Manoj Kumar, AC to GP-4
For the Accountant General	:	Dr. Anand Kumar, Adv. Mr. Rajan Prakash, Adv.
For the PHC	:	Mr. Satyabir Bharti, Adv. Ms. Kanupriya, Adv. Mr. Abhishek Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-03-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). To issue appropriate writ holding that the finance department memo no. 1964 dated 31/08/2005 is illegal to the extent it relates to the fixation of cut off date for the purpose of application of contributory pension scheme on the basis of "Date of appointment". In short



petitioner humbly prays that the contributory pension scheme be not applied to the petitioner who has been appointed against the advertisement issued prior to the cut off date fixed vide abovesaid Finance department memo no. 1964 dated 31/08/2005.

(ii). To issue an appropriate writ(s) directing respondents to provide the benefit of old pension scheme instead of contributory scheme to the petitioner as the contributory pension scheme has been introduced during the midway of the selection process against which has been petitioner appointed. In furtherance of this it is humbly prayed that this Hon'ble Court may please in holding that the Finance Department memo no. 1964 dated 31/08/2005 has no application upon the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Principal Secretary-cum-Finance Commissioner, Finance Department, Government of Bihar, Patna for consideration of his grievance regarding him not being granted coverage of the Old Pension Scheme. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the Principal Secretary- cum-Finance Commissioner, Finance Department, Government of



Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of eight weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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