

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11864 of 2022

Bhagwat Singh son of Late Ramyash Singh, Permanent Resident o
Bharhopur, P.O.-Ekma, Police Station-Ekma, District-Saran (Chhapra), Bihar-
841208. Present Address - A2/2 Ganesh Vatika, Near Green Park, Uliyan
Kadama, District/Town-Jamshedpur, Jharkhand-831005.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Addl. Secretary-cum-Director of Home Affairs Department, Bihar, Patna.
2. The Deputy Secretary, Home (Special) Department, Government of Bihar, Patna.
3. The Inspector General of Police (Prison), Government of Bihar at Patna.
4. The Secretary, Home (Special), J.P. Senani Salahkar Parishad, Bihar, Patna.
5. The Commissioner, Saran Division, Chhapra.
6. The District Magistrate, Saran at Chhapra.
7. The Government of Jharkhand Jharkhand.
8. The Superintendent of Jail, Lok Nayak Jai Prakash Central Jail, Hazaribag, Jharkhand.
9. The Superintendent of Jail Mandal Jail (District Jail), Chaibasa, West Singhbhum, Jharkhand.
10. The District Magistrate, Saraikela, Khersawa, Jharkhand.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Bihari, Advocate Mr. Rajendra Kumar Dubey, Advocate Mr. Suryakant Kumar, Advocate
For the Respondent/s	:	Mr.Manish Kumar (GP- 4) Mr. Ajay Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-07-2024 The present writ petition has been filed
seeking the following relief:-

"1. That this is an application for issuance of a Writ of Mandamus or any appropriate Writ / Writs, Order / Orders, Direction/Directions commanding and directing the Respondents No. 2 the Chief (Special) Secretary-cum-Director of Home Affairs, Govt. of Bihar, Patna to grant J. P. Senani Samman Pension to the petitioner



as the petitioner had taken part in J. P. Movement and further to give direction to Respondent Nos. 1 (Chief Secretary- cum- Director of Home Affairs Department, Bihar, Patna), 2 and 3 i.e. the Joint Secretary and the Deputy Secretary, Home (Special) Department, Govt. of Bihar, Patna to highly recommend the name of the petitioner to grant Pension as he was in custody for detention under MISA for 10 months 7 days (From 16.05.1976 to 22.03.1977) in Hazaribagh Central Jail Plus additional 39 days i.e. more than one month in Chaibasa District jail i.e. from 06.04.1976 to 15.05.1976 as he had taken active participation in J. P. movement and as such he is bonafide claimant for the Pension in the said Scheme in accordance with the decision of Government of Bihar, under the J. P. Senani Samman Yojna Scheme. For this first Circular was issued vide N/Home-Cell-74/09/2009, Patna dated 05.06.2009 by which a decision was issued with regard to give Pension of such Activists.

The same was revised by the Government of Bihar, Patna by the another Circular vide 824 (Sankalp) dated 17.07.2015 and the State Government took a decision to give Rs. 5,000/- (Five thousand) per month as Pension to those who have remained in custody for more



than one month but less than six months. In addition to that it was also decided to give Rs. 10,000/- (Ten thousands) per month as Pension to those who were detained under Defence of India Act (D.I.R.) and/or Maintenance of Internal Security Act (MISA) for more than six months or in both. And also to direct to give Pension of Rs. 15,000/- per month from October, 2021 as the State Govt. has pleased to give more enhancing it vide Memo No.-580 dated 8.11.2021."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no. 2 i.e. the Deputy Secretary, Home(Special)Department, Government of Bihar, Patna for the purposes of producing the documents issued by the concerned authorities to show that the name of the father of the petitioner is Ramyash Singh. Liberty, so sought, is granted.
3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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