

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6218 of 2017

Umakant Sinha, Son of Late Shiv Shankar Prasad, Resident of Sinha Niwas,
Patel Colony, Near Shanichra Mandir, P.O.- Mahendru, P.S.- Sultanganj,
District- Patna-6.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Principal Secretary, Human Resources Development Department,
Government of Bihar, New Secretariat,
3. Principal Secretary, Finance Department, Government of Bihar, Main
Secretariat, Patna.
4. District Magistrate, Patna.
5. District Education Officer, Patna Collectorate, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shanti Pratap, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP-17

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 21-11-2024 Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondents to count his past services rendered by him as employee of 1981 Census, sponsored scheme of Government of India.

3. The identical issue has travelled to the Division Bench of this Court in the case of *Tuntun Prasad Singh vs. State of Bihar*, in *L.P.A. No. 614 of 2017*. The learned Division Bench of this Court having taken note of the statutory provisions of Bihar Pension Rule has held that since the rules do not provide for counting temporary



services, rendered by the persons of the Central Government, the Full Bench decision passed in C.W.J.C. No. 2346 of 1990 decided on 23.04.1992 is not assisting the appellant.

4. The learned Division Bench further observed that the Government of India has issued a circular to count the temporary service rendered by such of those persons in the Census Department and necessary direction has been given to the State Government.

5. In view of the fact that the issue has already been set at rest by the Division Bench of this Court in the afore-noted L.P.A., the writ petition stands closed.

(Harish Kumar, J)

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