

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14106 of 2024

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Md Aftab Alam S/o Abdul Rashid Resident of Bakarganj Moharrampur P.O.
and P.S. Bankipur, District-Patna-800004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary, Department of Finance, Govt. of Bihar, Old Secretary, Patna.
3. The Secretary, Department of General Administration, Govt. of Bihar, Old Secretariat, Patna.
4. The Commissioner, Patna Division, Patna.
5. The District Magistrate, Patna Collectorate, Patna.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2024 Heard Learned Counsel for the petitioner and Learned
Counsel for the State.

2. The present writ petition has been filed with a relief to issue mandamus for grant of Old Pension Scheme instead of New Contributory Pension Fund Scheme under Government Resolution No.1964 dated 31.08.2005. Further prayer has been made to provide Old Pension Scheme under Bihar Pension Rules.

3. Learned Counsel for the petitioner submits that he is seeking relief by virtue of order passed by this Court in the year 2011 in CWJC No.10901 of 2006. He submits that



representation has been filed in the year 2016 but the government has not taken any decision till date. Therefore, he has filed writ petition in the year 2024.

4. Learned Counsel for the State, on the other hand, submits that the petitioner is the appointee of 02.07.2007 whereas New Pension Scheme has been implemented on 01.09.2005. As such, from the date of his joining New Pension Scheme has been implemented. Therefore, petitioner has no case for entitlement of Old Pension Scheme.

5. After hearing the parties, particularly when the petitioner admits that he is appointee of 02.07.2007, this Court is not granting any relief to the petitioner on the basis of judgment of 2011 for which writ had been filed in 2006 itself. As such, this writ petition stands dismissed.

(Dr. Anshuman, J)

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