

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17241 of 2022

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Jai Prakash Thakur Son of Late Ramsohawan Lal Thakur, Resident of
Mohalla- Anand Bazar, P.S.- Danapur, District and Town- Patna, PIN- 801503

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Principal Secretary, Department of Personnel and Administrative reforms, Government of Bihar, Patna.
4. The Director General of Police, Government of Bihar, Patna.
5. The Inspector General of Police, Bihar, Patna.
6. The Dy. Inspector General Police East Zone, Bhagalpur (Human Right), Bihar, Patna.
7. The Assistant Inspector General Police (Welfare), Bihar, Patna.
8. The S.P., Bhagalpur.
9. The S.S.P., Patna.
10. The Commandant, Bihar Special Arm Police-16, Phulwarisharif, Patna.
11. Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prakash Chandra Jha, Advocate Mr.Binod Kr. Mishra, Advocate
For the Respondent/s	:	Mr.Md. Nadim Seraj (Gp5)
For AG Bihar	:	Mrs.Ritika Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-04-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) To issue writ in the nature of a mandamus
directing the respondents to facilitate the post
retirement benefit, particularly the benefit of
payment petitioner of pension to the petitioner
in the old pension scheme which was enforced*



on and before dated 01.09.2005 in terms of the issuance of letter of selection, appointment and order of joining which are letter No.400 26.04.2003 with enclosure issued under authority of Dy. (Human Right) and letter No.861 dated 01.01.2004 issued under the authority of Inspector General Police (East Zone), Bhagalpur.

(ii) To hold and declare that the petitioner has bonafide entitlement to have the Notional benefit of continuous service and seniority and pension benefit including all post retirement benefit under the old pension scheme which was withdrawn on 01.09.2005 by the State authority.

(iii) To hold and declare that in terms of the doctrine of equality emanating from Article 14 as well as in terms of judicial interpretation laid down in CWJC No. 13797 of 2016 vide order dated 03.04.2018 (Pramod Kumar and others Versus State of Bihar and others) and in CWJC No.3638 of 2021 vide order dated 29.07.2002 (Sujeet Kumar and others Versus State of Bihar and others) the aforesaid grievance of petitioner is justified and genuine under the frame of legitimate expectation.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach



the respondent no.4 i.e. the Director General of Police, Government of Bihar, Patna, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the Director General of Police, 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 six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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