

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15455 of 2023

Rajendra Prasad Son of Late Surajnarayan Prasad, Resident of Village-Pachlakhi, P.S.- Mairwa, District-Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Home (Special) Secretary, Home Special Department, Government of Bihar, Patna.
3. The In-charge Officer, J.P. Kosang, Home Special Department, Bihar, Patna.
4. The Under Secretary, J.P. Kosang, Home Special Department, Bihar, Patna.
5. The District Magistrate, Gopalganj
6. The District Magistrate, Siwan

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Satish Chandra Mishra, Adv.
For the Respondent/s	:	Mr.Manish Kumar, GP-4
		Mr.Ajay Verma, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-06-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(i) For issuance of an appropriate writ/writs in the nature of mandamus directing/ commanding the Respondents to make payment of the J.P. Senani Samman Pension to the petitioner for his incarceration in Muzaffarpur Central Jail from 12.07.1974 to 26.07.1974 (14 days) under Section 3 of Maintenance of Internal Security Act (MISA) (No.26 of 1971) under Order No.879 C dated 12.07.1974 of the District Magistrate, Gopalganj with all the arrears, however, the petitioner is getting his J.P. Senani Samman Pension for his



incarceration from 15.07.1975 to 07.08.1975 in Gopalganj Jail and from 07.08.1975 to 24.07.1976 in Chapra District Jail and under Section 143, 188 of the I.P.C. in Mirganj P.S. Case No. 14 /1975 (GR No.692/1975) and under Section 69 (1) of the then DIR during the 1974 J.P. movement and students agitations in Bihar and for that other similarly situated persons are getting the said pension regularly.”

2. At the outset, the learned counsel for the petitioner submits that though the petitioner is getting J.P. Senani Samman Pension for the period of his incarceration in jail at Chapra and Gopalganj, however he is not getting J.P. Senani Samman Pension for his incarceration in Muzaffarpur Central Jail from 12.07.1974 to 26.07.1974, hence he be granted liberty to approach the respondent no.2, i.e. the Home (Special) Secretary, Home Special Department, Government of Bihar, Patna. Liberty so sought is granted.

3. It is needless to state that in case the petitioner is found entitled to J.P. Senani Samman Pension for the period of his incarceration in Muzaffarpur Central Jail for the period 12.07.1974 to 26.07.1974, he shall be paid the arrears of pension as well.

4. The writ petition stands disposed off on the



aforesaid terms.

(Mohit Kumar Shah, J)

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