

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18352 of 2014

Binay Kumar Sinha Son of Late Maheshwar Prasad Sinha Resident of
Mohalla - Panka toli, P.O. Ramna, P.S. Kazi Mohammadpur, District –
Muzaffarpur Petitioner/s

Versus

1. The State of Bihar
 2. The Inspector General Prison, Govt. of Bihar, Patna
 3. The Under Secretary, Home Special Govt. of Bihar, Patna
 4. The District Magistrate, Muzaffarpur
 5. The Superintendent of New Sahid Khudiram Bose, Central Jail, Muzaffarpur
- Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Ms. Kumari Amrita, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 06-02-2025 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The petitioner has challenged the validity of the order dated 20.08.2013 passed by the Respondent No. 1 by which the claim of the petitioner for grant of J.P. Samman Pension Yojana has been refused on the ground that no document is available with the authority concerned.

3. Learned counsel for the petitioner submits that earlier the petitioner has been moved before this Hon'ble Court in CWJC No. 11316 of 2012 and the same was disposed of vide order dated 29.04.2013 with the direction to the petitioner to approach the authority and in compliance of the order dated 29.04.2013, the petitioner has approached the authority concerned annexing all the relevant documents supporting his



claim for grant of J.P. Samman Pension Scheme. But it appears from the impugned order dated 20.08.2013 that the authority has not considered the documents submitted by the petitioner and rejected his claim. He further submits that from perusal of the order dated 20.08.2013 it appears that even the authority has not mentioned anywhere in its order that whether any document has been submitted by the petitioner and without considering the same the claim of the petitioner has been rejected by the authority concerned.

4. Learned counsel appearing on behalf of the State has filed a counter affidavit stating therein that the record is not available with the jail authority.

5. In view of the aforesaid, the order dated 20.08.2013 (Annexure-12) is hereby set aside and the matter is remanded back to the Respondent No. 1 to take a fresh decision after considering Annexures 1 to 5 of the writ petition within a period of three months from the date of receipt/production of copy of this order.

6. Accordingly, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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