

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9304 of 2025

1. Awadhesh Singh, Son of Late Swaminath Singh, Resident of Vill.- Badli Pakrimakriyar, Hasuwa, Siwan, Bihar
2. Pinku Kumar Rajak, Son of Late Sita Ram Rajak, Resident of Vill.- Beside of Congress Bhawan, Kachahari Road, ward no. 19, Jamui, Bihar
3. Ram Prasad Sah, Son of Damar Sah, Resident of Vill.- Bihari, Po- Jamui, Ps- Jamui, Bihar
4. Dushyant Kumar Singh, Son of Vivekanand Singh, Resident of Dariyapur, P.S.- Mufassil, Munger
5. Ramu Ram, Son of Late Lutan Ram, Resident of Vill.- Nimarang, Po- Jamui, PS- Jamui, Dist.- Jamui, Bihar
6. Anishwar Kumar Singh, son of Ganga Singh, Resident of Gram Puteriya, Amrath, P.O. plus P.S.- Jamui, Dist. Jamui, Bihar
7. Manoj Kumar Sinha, son of Late Mahendra Nath Bariyar, Resident of Ward no. 6, Shanti Niwash, Bombay Colony, Naya Tola, Jamui, Bihar
8. Jagat Paswan, Son of Bishwanath Paswan, Resident of Vill.- Madhusudan Pakri, Po- Manikpur Pakri, Ps- Lalganj, Dis.- Vaishali
9. Chunmun Choubey, Son of Late Bansidhar Choubey, Resident of Moh-Khetiya, Po Permanour, P.S.- Navanagar, Dis.- Buxar, Bihar
10. Binod Kumar Gupta, Son of Late Hira Lal Gupta, Resident of Moh-Khairma, Po plus Ps- Jamui, Dist.- Jamui, Bihar
11. Sunil Kumar Keshari, Son of Late Mohan Prasad Keshari, Resident of Moh-Belan Bazar, Shree Krishna Road, Po plus Ps- Muner, Bihar
12. Vijay Kumar Malakar, Son of Late Chhedi Malakar, Resident of Moh-Laxmipur, Po plusPs- Jamui, Bihar
13. Bachuchu Ram, Son of Late Bishashwar Ram, Resident of Gadi Mangnar, Po plus Ps- Jamui, Bihar
14. Abdhesh Kumar Rawat, Son of Sri Kant Rawat, Resident of Naya Tola, Bihari Ward no.-6, Resident of Moh-Bihari, Po plus Ps-Jamui, Bihar
15. Naresh Gop, Son of Late Ramlal Gop, Resident of Moh- Bihari, Ward no.-6, Po plus Ps- Jamui, Bihar
16. Purnanand Mishra, Son of Phakir Mishra, Resident of Vill.- Bukar, Po plus Ps- Jamui, Dist.-Jamui, Bihar
17. Premnath Roy, Son of Late Vidhia Rawat, Resident of Moh.- Lathane Shiv Mandir, Po- Suggi, Ps- Jamui, Bihar
18. Kapil Deo Ram, Son of Late Gopi Ram, Resident of Moh- Krishna Patti, Po plus Ps- Jamui, Bihar
19. Surendra Ram, Son of Late Ragho Ram, Resident of Moh- Suggi, Po-Suggi, Ps- Jamui, Bihar
20. Deepak Kumar Rawat, Son of Late Bhusan Rawat, Resident of Moh-Bajpaye Tola, Bihari Jamui, Po plus Ps- Jamui, Bihar



21. Dayanidhi Gupta, Son of Bhagwan Gupta, Resident of Moh-Nardih, Amrath, Po plus Ps-Jamui, Bihar
22. Jaikant Singh, Son of Late Sukhdev Singh, Resident of Moh- Bihari, Po plus Ps- Jamui, Bihar
23. Ratikant Dubey, Son of Late Vishwanath Dubey, Resident of Moh-House no.-13, Sikahariya, Po plus Ps- Jamui, Bihar
24. Bijay Shankar Prasad, Son of Late Shivnandan Prasad, Resident of Moh-Sirchandnawada, Po plus Ps- Jamui, Bihar
25. Pawan Kumar Mandal, Son of Late Baidynath Mandal, Resident of Moh-Harnaraypur, Po- Chaura, Ps-Jamui, Dist.-Jamui, Bihar
26. Sheela Kumari, Wife of Bablu Mehtar, Resident of Moh- Mahi soudi, Madhay, Po plus Ps- Jamui, Bihar
27. Nitiya Nand Singh, Son of Late Arjun Prasad Singh, Resident of Moh- Ward no.- 4, Kherma, Po plus Ps- Jamui, Bihar
28. Bablu Kumar Dubey, Son of Murari Dubey, Resident of Vill.- Sikhria, Po-Sonpey, Ps- Jamui, Bihar
29. Kanhiya Lal Mandal, Son of Late Jainarayan Mandal, Resident of Vill.- Nayagoan, Po- Naya Gaon, Ps- Gidhaur, Dist-Jamui, Bihar
30. Sakindar Kumar Singh, Son of Late Vijay Kumar Singh, Resident of Vill.- Bithalpul, P.S.- Jamui, Dist.-Jamui

... .. Petitioner/s

Versus

1. The State of Bihar, Through The Chief Secretary, Old Secretariat, PS-Sachivalay, Govt. of Bihar, Dist. Patna
2. The Chief Secretary, Govt. of Bihar, Old Secretariat, PS- Sachivalay, Dist.- Patna
3. The Additional Chief Secretary, General Administration Department, Govt. of Bihar, Old secretariat, P.S.- Sachiwalay, Dist.- Patna
4. The Principal Secretary of Finance Department, Govt. of Bihar, Old Secretariat, Po plus Ps- Sachiwalay, Dist.- Patna.
5. The Divisional Commissioner, Munger Division, Munger, Fort Area, PS-Kotwali, Dist.- Munger
6. District Magistrate, Jamui, P.O plus P.S- Jamui, District - Jamui.
7. The Deputy Collector (Estab), Jamui, P.O plus P.S. - Jamui, District-Jamui
8. Additional District Magistrate (Estb), Jamui, Po plus Ps- Jamui, Dist.-Jamui
9. The District Education Officer, Jamui, Po plus Ps- Jamui, Dist.- Jamui
10. The District Welfare Officer, Jamui, Po plus Ps- Jamui, Bihar
11. The District Election Officer, Jamui, Dist.- Jamui
12. The Sub-Divisional Officer, Jamui, Dist.- Jamui
13. The Treaury Officer, Jamui, Dist.- Jamui
14. The Registrar District Consumer Forum, Jamui, Dist.- Jamui



15. The Block Development Officer, Sikandra, Po plus Ps- Sikandra, Dist.- Jamui
16. The Block Development Officer, Po plus Ps- Barhat, Dist.- Jamui
17. The Block Development Officer, Kharia, Po plus Ps- Kharia, Dist- Jamui
18. The Block Development Officer, Jhajha, Po plus Ps- Jhajha, Dist- Jamui
19. The Block Development Officer, Gidhor, Po plus Ps- Gidhor, Dist.- Jamui
20. The Circle Officer, Jamui, Dist- Jamui
21. The Circle Officer, Laxmipur, Po plus Ps- Laxmipur, Dist.- Jamui
22. The Circle Officer, Sono, P.O. and P.S.-Sono, District - Jamui.

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Adv
For the Respondent/s : Mr. Mujtabaul Haque, GP-12
Mr. Vasant Vikas AC to GP12

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 19-06-2025 Heard learned counsel for the petitioners as well as respondents-State.

2. It is submitted by the counsel for the petitioners that pursuant to the advertisement dated 02.10.2001, all the petitioners herein were appointed to the post of class IV employee in the year of 2013- 2014. According to the counsel in the light of judgments passed by the Co-ordinate Bench of this Court in the case of *Ashok Kumar Sharma and Ors Vs. State of Bihar & Ors* passed in *Civil Writ Jurisdiction Case No. 22232/2018* dated **09.12.2020** and also in the case of *Mahendra Mahto Vs. The State of Bihar and Ors* passed in *C.W.J.C. No. 13344 of 2024 dated 10.09.2024*, they are entitled to get benefit of old pension scheme as they were appointed



pursuant to the advertisement of the year of 2001. According to the counsel, all the petitioners herein already made their representation before the concerned respondent but no decision has been taken by the respondent yet. Therefore, it is prayed by the counsel that this petition may be disposed of giving liberty to the petitioners to make their fresh representation before the concerned respondent i.e. respondent no. 03 and in turn, the concerned respondent may also be directed to consider and decide the same in the light of judgments as referred hereinabove in accordance with relevant rules and law.

3. The above prayed made by the counsel is not opposed by the counsel for the respondents-State.

4. Considering the submissions made by both the counsels, the petition is disposed of. The petitioners are directed to firstly make their detail representation raising all grounds which they raised in this writ petition within two weeks from today and in turn the concerned respondent may also be directed to consider and decide the same as early as possible probably within 60 days from the date of submission of fresh representation in accordance with relevant rules and law taking into consideration the observation made by the Co-ordinate Bench of this Court in the case of *Ashok Kumar Sharma and*



***Ors Vs. State of Bihar & Ors and Mahendra Mahto Vs. The
State of Bihar and Ors (Supra)***

(Arvind Singh Chandel , J)

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