

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14538 of 2016

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Upendra Prasad Singh Son of Kapildeo Singh, resident of village- Bairia, P.S.
Piprahi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Secretary Home Special Department, Government of Bihar, Patna.
4. The Chairman, Advisory Council, B-173, Anisabad, Police Colony, Patna-2,
of Department of Home, Gov

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shahabuddin Azeem @ S. Azeem
For the Respondent/s : Mr. Sanjay Kumar Bhushan, AC to-Aag3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 27-11-2025 Heard Mr. Shahubuddin Azeem, learned counsel for

the petitioner and Mr. Sanjay Kumar Bhushan, learned State

counsel.

2. The present writ application has been preferred for:

*issuance of writ/writs, order/orders,
direction/directions specially for the issuance of
writ of mandamus directing the respondent
authorities for issuance of monthly pension of Rs.
10,000/-sanction order in favour of the petitioner,
in terms of the government resolution dated
05.06.2009 as well as the same has been amended
vide memo no. 524 dated 15.07.2015 and the same*



has been effective from 1 August, 2015 for the payment of pension to the sufferer of the J.P. Agitation, for which the government has formulated to pay the pension and other benefits under the J.P. Samman Yojna.

3. Learned counsel for the petitioner submits that he participated in the agitation that was called by Late Jai Prakash Narayan which happened during the years 1974-77, went to jail and as such is entitled to the J.P. Samman Yojna. The contention is that he submitted application but there was no response forcing him to file the affidavit.

4. The affidavits have come on behalf of the respondents, according to which despite best of their efforts, they could not find any application of the petitioner in their record. This court has gone through the writ petition as also the application. Clearly, there is no averment to the period when he was in jail and/or under which FIR he was made an accused. Further, even the application (Annexure-1) have no date.

5. Learned counsel for the petitioner has furnished a certificate of the District Magistrate, Sitamarhi which is not part of the writ petition filed in the year 2016 to support his case. He is well advised to take the route which has been suggested by



the learned State counsel and file his application, if the scheme is still available and application is/are accepted.

6. In view of the facts/documents are not available on record in the writ petition, no positive order can be passed. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

Siddharth Soni/-

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