

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1021 of 2023

In
Civil Writ Jurisdiction Case No.10651 of 2020

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Munnu Pandit Son of late Antu lal, Resident of Mohalla - Durgacharan Lane,
P.O- Gulzarbagh, P.S. - Alamganj, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Director, Land Records and Survey Department of Revenue and land Reforms Government of Bihar, Patna.
4. The Assistant Director, Department of Revenue and Land Reforms, Government of Bihar, Patna.
5. The Land Reform Commissioner-cum-Commissioner and Secretary, Bihar, Patna.
6. The District Magistrate Patna, District- Patna.
7. The Deputy Director, Bihar Survey Office, Gulzarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Md. Khurshid Alam (AAG12)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 10-02-2025

The appellant has challenged the judgment dated 05.07.2023 passed by a learned Single Judge in CWJC No.10651 of 2020 relegating the appellant to the concerned authority for clarifying the confusion in the



matter whether the appellant would be entitled to get pensionary benefits after counting the period of service rendered by him in his earlier engagement.

2. It appears from the records that the appellant was disengaged from service. However, in obedience to the orders passed by a Writ Court in CWJC No.10651 of 2020, the case of the appellant was considered, especially with respect to the fact whether he had served the organisation for six months prior to his disengagement and an order was passed on 08.08.2006 re-engaging him in service. The appellant is said to have joined that post on 14.08.2006 and discharged his duties till the date of his retirement in the year 2016.

3. The grievance of the appellant is that he is not getting the pensionary benefits because the period of his earlier service has not been counted.

4. The learned Single Judge has found that the order of appointment is very clear, viz., that he will get the monetary benefits from the date when he joined



the service.

5. With respect to the issue of counting of earlier period that he had served under the organisation, the learned Single Judge relegated him to the authority where a representation to that effect would be filed by him.

6. The appellant is at a loss as to where would he file such representation.

7. The learned Advocate for the appellant has himself suggested that the issue could be decided by the respondent No.3, viz., the Director, Land Records and Survey Department of Revenue and Land Reforms, Government of Bihar, Patna.

8. The judgment passed by the learned Single Judge is thus modified to the extent that in case the appellant files a representation before the respondent No.3 within a period of four weeks, that shall be disposed off within a further period of four weeks giving reasons and making available a copy of such order to the



appellant.

9. With the aforementioned observation, the appeal
stands disposed off.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Saurabh/Rajesh

AFR/NAFR	
CAV DATE	
Uploading Date	12.02.2025
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