

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21331 of 2021

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Arjun Prasad Son of Kedar Ray Resident of Village- Rahepur, P.O. Tetarapur,
P.S. Mohiuddin Nagar, District- Samastipur, Presently working as Peon, Raj
Narayan College, Hajipur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, B.R.A. Bihar University, Muzaffarpur.
6. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
7. The Principal, Raj Narayan College, Hajipur, District- Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate.
For the University	:	Mr. Nikhil Kumar Agrawal, Advocate.
For the State	:	Mr. Kameshwar Kumar, GP-17.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 08-07-2025 Heard Mr. Vijay Kumar Singh, learned counsel

 appearing on behalf of the petitioner, Mr. Kameshwar Kumar,

 learned GP-17 appearing on behalf of the State and Mr. Nikhil

 Kumar Agrawal, learned counsel appearing on behalf of the

 University.

2. The present writ petition has been filed for

following relief(s) :

*“(I) For a declaration that the petitioner does
not come under the purview of New Contributory Pension
Scheme rather the petitioner comes under the Old Pension
Scheme on the ground that the petitioner was appointed as*



Laboratory Boy / Peon on 23.07.1979 and subsequently his services was regularized vide office order contained in Memo No. B/1794 dated 26.08.2006 issued under the signature of the Respondent No.5 with immediate effect.

(II) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the Respondent Authorities to count the services of the petitioner from the date of his initial appointment i.e. 23.07.1979 for the purposes of consequential benefits including the pensionary benefits etc.

(III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner has retired on 31.07.2021. However, he has not been paid G.P.F., leave encashment, group insurance along with pension and gratuity.

4. Learned counsel submits that the case of the petitioner is squarely covered by the Judgment dated 25.07.2016, passed by this Court in C.W.J.C. No. 6476 of 2013 (Ramjee Paswan & Ors. Vrs. The Baba Saheb Bim Rao Ambedkar University & Ors.) as well as the Judgment dated 30.08.2018, passed in C.W.J.C. No. 6368 of 2012 (Ramanand Patna High Court CWJC No.6207 of 2023(2) dt.06-07-2023 3/3 Thakur & Ors. Vrs. The State of Bihar).

5. The petitioner seeks to file comprehensive representation before the Registrar of the University.

6. The Registrar of the University is directed to dispose of the representation after giving proper opportunity of



hearing to him and on the consideration of records relating to the petitioner pass final order in terms of the judgment/orders relied by the petitioner. In case, it is found that in case of any similarly situated employee, payments have been made, the petitioner must be given the same benefit along with statutory interest on account of delayed payment within six weeks.

7. The writ petition stands disposed of.

(Purnendu Singh, J)

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