

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3075 of 2024

In
Civil Writ Jurisdiction Case No.11608 of 2023

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Upendra Ram Son of Late Dinesh Ram, Resident of Pokhra Mohalla,
Ambedkar Colony, Hajipur, Police Station-Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Amir Subhani, the Chief Secretary Government of Bihar Patna.
2. Mr. Arunish Chawla, The Principal Secretary, Department of Urban Development and Housing Department, Government of Bihar, Patna.
3. Mr. S. Siddharth, The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. Mr. Pankaj Kumar The Chief Executive Officer, Nagar Parishad, Hajipur, District-Vaishali.
5. Smt. Sangeeta Kumari, The Chairman, Nagar Parishad, Hajipur, District-Vaishali.
6. Mr. Yashpal Meena, The District Magistrate, Vaishali at Hajipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Additional Advocate General 7

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 04-04-2025 Heard the parties.

2. There is consistent response of the Nagar Parishad, Hajipur as well as the parent Department, i.e., the Urban Development and Housing Department that the employees of the Nagar Parishad, Hajipur are not entitled to get the pension, unless they exercise their option within the stipulated period. The claim of the petitioner that one of the identically situated person whose case was referred to the Lok Adalat and the opposite party-Nagar Parishad, Hajipur has



tendered undertaking that all the grievances of the petitioner shall be redressed has also been clarified that it was an inadvertent typing mistake although the undertaking was given that the grievance of the petitioner shall be re-examined. Moreover, it is the specific stand of the Nagar Parishad that till date none of the employees have been accorded the pensionary benefits who have failed to opt for pension.

3. Considering the stand in the show cause affidavit and having heard the learned Advocate for the petitioner and the opposite parties, this Court finds that the grievance of the petitioner is based on parity; however, in view of the aforesaid facts that till date none of the person with whom the petitioner is seeking parity has been accorded the retiral benefits, this Court does not find any reason or occasion to continue with the present proceeding. Accordingly, the contempt proceeding stands closed.

4. However, the petitioner shall always be at liberty to approach the concerned authority in case any of the identically situated person is accorded the retiral benefits.

(Harish Kumar, J)

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