

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8373 of 2026

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Renu Devi W/o- Late Bidyanand Prasad, Resident of Village Jamuniya, P.O.- Salehpur, P.S.-Bishambharpur, District- Gopalganj, Bihar-841501. Present Address- Indrapuri, Road No.7C, House No.01A, Post-Kesharinagar, P.S. - Patliputra, Patna-800024.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Industry Department, Vikas Bhawan, New Secretariat, Government of Bihar.
3. The Additional Chief Secretary, Industry Department, Vikas Bhawan, New Secretariat, Government of Bihar.
4. The Director, Directorate of Technical Development, Industry Department, Vikas Bhawan, New Secretariat, Bihar, Patna. Presently The Director, Micro, Small and Medium Enterprises (M.S.M.E), Industry Department, Government of Bihar, Vikas Bhawan, New Secretariat, Bihar, Patna.
5. The Assistant Director, Quality Control, Technical Development, Patna Division, Vikas Bhawan, Secretariat, New Patna. Presently The Assistant Director, M.S.M.E, Vikas Bhawan, New Secretariat, Patna.
6. The Secretary (Expenditure), Department of Finance, Old Secretariat, Patna, Bihar.
7. The Secretary (Resource), Department of Finance, Old Secretariat, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : M/s Naveen Kr Pd, Shambhavi Priya, Advocates
For the Respondent/s : Mr. Government Pleader (2)

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CORAM: HONOURABLE MR JUSTICE RANJAN KUMAR JHA

ORAL ORDER

2 22-06-2026 For the following reliefs, this writ petition has been
filed:

“i. For issuance of an appropriate writ/writs, order/orders or direction/directions commanding the respondents to consider and dispose of the representation/application dated 30.05.2025 submitted by the petitioner before the Additional Chief Secretary, Industries



Department, Government of Bihar, requesting forwarding and consideration of the proposal relating to conversion of her deceased husband from the New Pension Scheme (NPS) to the Old Pension Scheme (OPS), which proposal had earlier been forwarded through proper channel vide Letter No 55 dated 06.01.2024, but no action has been taken thereupon till date despite lapse of considerable time.

ii. For issuance of an appropriate writ/writs, order/orders or direction/directions commanding the respondents to forthwith consider and dispose of the proposal relating to conversion from New Pension Scheme (NPS) to Old Pension Scheme (OPS), which was duly forwarded through proper channel by the Assistant Director of Industries, Quality Control, Patna Division, Patna vide Letter No 55 dated 01.01.2024 in compliance of Resolution No V (27) 48/2020 (Page No – 1206) dated 28.11.2023 issued under the signature of the Secretary (Resource), Finance Department, and which still remains pending before the competent authorities without any lawful decision till date.

iii. For issuance of an appropriate writ/writs, order/orders or direction/directions, particularly in the nature of Mandamus, commanding the respondents to consider and grant conversion of petitioner's husband late Bidyanand Prasad from the New Pension Scheme (NPS) to the Old Pension Scheme (OPS), in view of the fact that the recruitment process pursuant to Advertisement No VUS 17-20/2003 had commenced prior to 01.01.2004 and the delay in joining service occurred solely due to judicial proceedings/litigation and not attributable to the deceased employee.

iv. For issuance of an appropriate writ/writs, order/orders or direction/directions commanding the respondents to sanction and release family pension and all consequential



pensionary/retiral benefits in favour of the petitioner under the Old Pension Scheme, treating late Bidyanand Prasad to be covered under OPS from the inception of his service.

v. For issuance of an appropriate writ/writs, order/orders or direction/directions directing the respondents to pay all consequential monetary benefits including arrears of pensionary dues along with statutory/appropriate interest for the unjustified and prolonged delay caused in consideration of the lawful claim o the petitioner and her deceased husband.

vi. For grant of any other relief or reliefs to which the petitioner may be found entitled in the facts and circumstances of the present case and for securing the ends of justice.”

2 The first prayer in the writ petition is to dispose of the representation filed by the petitioner before the Additional Chief Secretary, Department of Industries, Government of Bihar on 30.05.2025 which is still pending with the respondents.

3 Without going into the merit of the case, this Court directs the Additional Chief Secretary, Department of Industries, Government of Bihar to consider the representation dated 30.05.2025 (Annexure P/10) and pass a reasoned order after affording an opportunity of hearing to the petitioner or her counsel within eight weeks from the date of receipt/production of a copy of this order.

4 With the aforesaid observation and direction, this



writ petition stands disposed of.

(Ranjan Kumar Jha, J)

M.E.H./-

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