

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17256 of 2025

1. The Union of India through the Director General cum Secretary, Department of Post, Dak Bhawan, New Delhi- 110001.
2. The Chief Post Master General, Bihar Circle, Patna- 800001.
3. The Post Master General, Northern Region, Muzaffarpur, 842002.
4. The Director of Postal Service, O/o The Post Master General, Northern Region, Muzaffarpur 842002.
5. The Superintendent, Postal Store Depot, Patna 800001.

... .. Petitioner/s

Versus

Uma Shankar Prasad Sinha, son of Late Rajendra Prasad Sinha, Retd. T.S. Casual Labour, resident of Village and P.O.- Nagwan, Via- Chakwaja Nagwan, Distt- Vaishali, PIN- 844111.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bindhyachal Rai (Sr. Panel Counsel)
For the Respondent/s : Mr. Hemant Kumar Karan, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 20-07-2026 Though the present writ petition has been filed, assailing the impugned order dated 03.09.2024, passed by the learned Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as “the learned CAT”) in O.A. No. 050/0070/2018, however at the outset, it is submitted by the learned counsels for the parties that the present case is squarely covered by the judgment rendered by the Hon’ble Apex Court in SLP(C) No.28802-28804 of 2019 (converted into Civil Appeals), reported in **2026 SCC OnLine SC 1055 (Bhikhani**



Devi) Etc. Vs. Union of India and Others.

2. At this juncture, it would be apposite to reproduce paragraphs nos. 75, 76 and 85 of the said judgment passed in the case of ***Bhikhani Devi*** (supra), hereinbelow:-

“75. From the above discussion what follows is that when the statutory framework including CCS (Temporary Service) Rules, 1965 is read in conjunction with the Scheme and the circular dated 30.11.1992, the inescapable conclusion which emerges is that a casual labour, on being conferred the temporary status, upon completion of three years of continuous service as temporary status casual labourer becomes entitled to benefits admissible to temporary Group D employees which necessarily includes pensionary benefits available under Rule 10(1-B) of the CCS (Temporary Service) Rules, 1965 subject, of course, to fulfilling the eligibility criteria provided therein. This right is not dependent on regularisation. What is conceived is conferring of additional benefit of previous service under the Scheme as would be available to an employee on regularisation apart from the benefits conferred under the rules becoming applicable on this now acquired new status of a regular employee.

76. The question as framed in para 32 above stands answered as follows:

‘A temporary status casual labourer would be entitled to pensionary benefits on superannuation even in the absence of regularisation.’

85. The Respondents are accordingly directed to compute and release the pensionary and consequential retiral benefits payable to the Appellants in accordance with law within a period of three months from the date of this judgment. In case of default, interest @ 6% per annum from the date of accrual till disbursement shall be payable to the appellants.”



3. Having regard to the facts and circumstances of the case, it is prayed by the learned counsels for the parties that the present writ petition may also be disposed of in terms of the judgment rendered by the Hon’ble Apex Court in the case of ***Bhikhani Devi*** (supra).

4. Accordingly, the present writ petition stands disposed of in terms of the findings arrived at, as aforesaid, in the case of ***Bhikhani Devi*** (supra) by the Hon’ble Apex Court.

5. It is needless to state that the pensionary and other benefits, including arrears shall be computed forthwith and paid to the sole respondent, within a period of four weeks from today, failing which the interest awarded by the learned CAT would stand enhanced to 18% per annum.

(Mohit Kumar Shah, J)

kanchan/-

(Sourendra Pandey, J)

U			
---	--	--	--

