

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.437 of 2025

1. Md. Samiuddin S/O Maslehuddin, R/O Vill and P.O.- Maheshpatti, P.S.- Ujarpur, Dist.- Samastipur, Presently posted as upper division Clerk, Block Office- Chakiya, Dist.- East Champaran, Motihari.
2. Md. Haroon Rashid, S/O Md. Idris, R/O Vill.- Mohalla- Nagmatiya Colony Gaya, P.S.- Civil Line Gaya, Dist- Gaya, presently posted as upper division clerk, District Urdu Bhasha Koshang, Dist.- Saran at Chhapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Cabinet Secretariat (Rajbhasha Directorate) Department Old Secretariat, Patna.
2. The Director, Cabinet Secretariat (Rajbhasha) Department, (Urdu Directorate), Old Secretariat, Patna.
3. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
5. The Accountant General, Bihar, Patna.
6. The District Magistrate, East Champaran at Motihari.
7. The District Magistrate, Saran at Chhapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Kamal Deo Sharma, Advocate
For the State	:	Mr. Government Pleader (27)
For the AG	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Mr. Arya Achint, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-06-2026 Heard learned counsel for the petitioners, learned counsel for the State and learned Senior counsel for the Accountant General, Bihar, Patna.

2. The present writ petition has been filed for the following relief/s:-

“1. For issuance of an appropriate writ/writs



in the nature of Mandamus, commanding and directing the respondents authorities to fix the seniority of the petitioners and to grant the notional benefits of continuous service and seniority to the petitioners as may be available to the other candidates who are appointed on 17.07.1996 from the same advertisement.

II. For further commanding the respondents authorities to provide benefits of old pension scheme (G.P.F.) in place of contributory pension plan (C.P.P.) treating these petitioners to have been appointed prior to 01.09.2005 for the purpose of application of the service condition in regard to the pension. Since others appointees from the same advertisement have been provide of old pension scheme.

III. Any other writ/writs for granting any other reliefs for which the petitioners are found entitled to in the facts and circumstances of the present case.”

3. Learned counsel for the State raised preliminary objection and submits that in the representation, the petitioners have demanded the benefits of Old Pension Scheme. Here, they have demanded the issuance of writ of Mandamus, but submits that representation has not been made.



4. In this background, learned counsel for the petitioners submit that this writ petition may be disposed off with liberty to the petitioners to make fresh representation before the Respondent no.2 demanding express/explicit relief.

5. As such, this writ petition stands disposed off with liberty to the petitioners to file fresh representation before the Director, Cabinet Secretariat (Rajbhasa) Department, (Urdu Directorate), Old Secretariat, Patna (Respondent no.2), demanding express/explicit relief in clear terms. Upon receipt of the petitioners' fresh representation, the Respondent no.2 shall pass order within 90 days.

(Dr. Anshuman, J)

Divyansh/-

U			
---	--	--	--

