

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No. 1621 of 2020

Narsingh Prasad Singh & Ors.

...Petitioner(s).

Versus

The State of Jharkhand & Others

... Respondent(s)

With

W.P. (S) No. 1479 of 2019

Ramjan Mian & another

...Petitioner(s).

Versus

The State of Jharkhand & Others

... Respondent(s)

CORAM : HON'BLE MR. JUSTICE ANANDA SEN.
Through: Video Conferencing

For the Petitioner(s) : Mr. Amit Kr. Tiwari, Advocate.

For the Respondents : Mr. Ranjit Kumar, Advocate

06/23.07.2021: The pension of the petitioners have been stopped from August, 2017.

Counsel for the State submits that amount has to be paid by the Hazaribag, Municipality. A specific stand has been taken by the Hazaribag, Municipality that its financial status is poor and there is no source of income to redress the grievance of the petitioners.

Non-availability of fund cannot be a ground to deprive the superannuated employees from their retiral benefits. Admittedly, the petitioners are the retired employees of a statutory body.

Whether in case of a statutory body i.e. municipality, if fails to pay the retiral benefits, can a direction be given to the State to pay the benefits or not, has been referred to the Division Bench of this Court in a Case being W.P. (S) No. 4269 of 2018. The issue whether in these type of cases by lifting the veil, direction can be given to the State has to be considered.

Let these matter also be referred to the Division Bench to be heard along with W.P. (S) No. 4269 of 2018.

(ANANDA SEN, J.)