
(2008) 08 PAT CK 0023
In the Patna High Court
Case No : CWJC No. 4130 of 2006

Lakhan Ram

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 05-08-2008

Acts Referred:

Citation : (2009) 1 PLJR 599

Hon'ble Judges : Ajay Kr. Tripathi, J

Bench : Single Bench

Judgement

Ajay Kr. Tripathi, J.—The financial position of the respondents BISCOMAUN is vitally known across the State including this Court. Writ applications in hundreds are filed day and day out for a direction upon them to pay salary to the employees who have been working for more than a decade. This is a reason why the decision of the respondents to enhance the age of retirement from 58 years to 60 years has not been looked at kindly by the Registrar, Co-operative Society, Government of Bihar, which is evident from communication dated 11.1.2007 contained in Annexure-D to the counter affidavit. It is also recorded that vide an earlier communication No. 1305 dated 15.5.2006 the Secretary, Department of Co-operative, Government of Bihar has laid down the parameters under which the Co-operative Society may consider enhancing the age of retirement. Obviously the respondent-BISCOMAUN because of its financial position does not fulfil the criteria to derive benefit of enhanced age of retirement. Till the situation improves for the organization and they are granted go ahead for enhancing, the Court cannot give a direction to BISCOMAUN to enhance the age of retirement of the petitioner. If a decision for enhancement of age of retirement is taken by the competent authority and that allows the benefit to the petitioner, he may re-assert his claim at that stage. The writ application stands disposed of with the above liberty.