

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13976 of 2006

=====

Rajeev Ranjan, son of Late Upendra Jha, resident of village – Madhopur,
P.S. Darbhanga, District Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Revenue & land
Reforms main Secretariat, Patna

2. the Secretary, Department of Personnel and Administrative Reforms
Government of Bihar Main Secretariat, Patna

3. the Commissioner, Purnea Division, Purnea

4. The District magistrate, Kishanganj

5. the Deputy Collector (district Establishment) Kishanganj

6. the Circle Officer, Thakurganuj, Kisanganj

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur

For the Respondent/s : Mr. Kumar Alok, SC No. 8

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

5 16-02-2015 Heard Sri Kishore Kumar Thakur, learned counsel for
the petitioner and Sri Kumar Alok, learned SC No. 8.

The petitioner, who was appointed on compassionate
ground vide order dated 19.8.2004 in the pay scale of Rs. 3050 –
4590 has approached this court invoking its writ jurisdiction
under Article 226 of the Constitution of India with a prayer to
direct the respondents to fix the salary of the petitioner in the pay
scale of Rs. 4000 - 6000 which was admissible to Class III
employees including the Class III employees appointed on

compassionate ground till the year 2000.

It has been stated that father of the petitioner who was Deputy Collector, died in harness on 12.12.1993. Though death of petitioner's father had occurred in the year 1993, due to one reason or the other appointment of the petitioner was delayed for a considerable time and finally, after intervention of Department Of Personnel And Administrative Reforms petitioner was appointed in the year 2004. It has been argued that had the petitioner been appointed immediately after the death of his father or before the year 2000, he would have been given the pay scale of Rs. 4000- 6000 , and as such, a prayer has been made for directing for re-fixing the pay scale of the petitioner.

Learned Standing Counsel -8 opposing the prayer of the petitioner submits that whatever reasons may be, the fact is that finally the petitioner was appointed in the year 2004 and on the date of appointment provision applicable for pay scale was specific that the person appointed on compassionate ground shall be given pay scale of Rs. 3050 – 4590.

After hearing the parties, the court is of the opinion that it may be a case that death of father of petitioner had occurred long back in the year 1993 but fact remains that appointment letter was issued in the year 2004, and as such, the

pay scale shall be applicable on the basis of provision as prevailing on the date of appointment.

I do not find any ground for interference with the matter.

The writ petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

U			
---	--	--	--