

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2441 of 2015

1. Bijay Kumar son of Birju Sao Resident of Village, P.O and P.S- Rajgir, District- Nalanda at present residing at C/O Gauri Shankar Singh, Postal Park, Sanjav Nagar, P.O-G.P.O, P.S- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Education, Bihar, New Secretariat, Patna.
3. The Director, Department of Primary Education, Bihar, New Secretariat, Patna.
4. The District Superintendent of Education, Patna Collectorate Compound, Patna.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 2452 of 2015

1. Arun Kumar Son of Suresh Prasad Resident of Village- Korama, P.O. -Gagour, P.S- Korma, District- Shekhpura, at present residing at Postal Park, Sanjay Nagar, P.O- G.P.O, P.S- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Education, Bihar, New Secretariat, Patna.
3. The Director, Department of Primary Education, Bihar, New Secretariat, Patna.
4. The District Superintendent of Education, Patna Collectorate Compound, Patna.

.... Respondent/s

Appearance :

(In CWJC No. 2441 of 2015)

For the Petitioner/s : Mr. Abhay Kumar Thakur

For the Respondent/s : Mr. GP15- Sharad Kumar Sinha

(In CWJC No. 2452 of 2015)

For the Petitioner/s : Mr. Abhay Kumar Thakur

For the Respondent/s : Mr. GP14- M.K. Ambastha

Mr Subodh Kumar, AC to GP 14

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-05-2015

Claim of the petitioners for payment of cost of living

allowance since 9.12.1995 has to be considered in the light of the

finding of a committee set up by the department of Human Resources, as it then was. This recommendation of the committee was on the basis of an order passed in CWJC No.5278 of 2004, which was the case of Ravi Shankar versus State of Bihar & others. The committee has decisively held that cost of living allowance is a jugglery of word. It is basically a demand for similar or higher wages. The decision of the committee is dated 19.8.2008 and has been brought on record as Annexure- C. Claim of the petitioners in the light of the same is rejected. So long as that report of the committee is not set aside or declared to be bad in law, petitioners cannot beget the relief which they are looking for at such a belated hour when such decision was taken almost 8-9 years ago.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--