

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2481 of 2015

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1. Yugeshwar Sao Son of Late Karu Sao Resident of Village - Hamja, P.O. - Rampur Dumra, P.S. - Marachi, District - Patna.
 2. Braj Mohan Jha Son of Late Dukhan Jha Resident of Beruadih, P.S. - Bariyarpur, District - Muzaffarpur.
 3. Lakhan Lal Yadav Son of Bhagchand Yadav Resident of Ambedkar Gali, P.S. - Airport, District - Patna.
 4. Ram Naresh Singh Son of Dukhan Prasad Resident of Village - Kanauji Tola, P.O. - Manoharpur Kachchnara, P.S. - Gopalpur, District - Patna.
 5. Shyam Prasad Son of Late Sukhdeo Ram Resident of Raja Bazar, Chandaury Tola, P.O. - Veterinary College, P.S. - Patna Airport, District - Patna.
 6. Bhavanand Mishra Son of Late Kamla Nand Mishra Resident of Village - Kakroul, P.S. - Rahika, District - Madhubani.
 7. Mahendra Prasad Son of Late Tulsi Prasad Resident of New Yarpur, Janata Road, Devi Sthan, P.S. - Gardanibagh, District - Patna.
 8. Dinanath Prasad Son of Late Ram Balak Ram Resident of Village - Chhata, P.O. - Chhata, P.S. - Masaurhi, District - Patna.
 9. Kashinath Prasad Son of Late Mahanth Ram Resident of Sonbarsa, P.O. - Sonbarsa, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
4. The Joint Secretary, Finance Department, Government of Bihar, Patna. null null
5. The Joint Secretary, General Administration Department, Government of Bihar, Patna.
6. The Special Secretary, General Administration Department, Government of Bihar, Patna.
7. The Deputy Secretary, Finance Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shitanshu Shekhar Mishra

For the Respondent/s : Mr. SC8- Kumar Alok

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 11-02-2015

These petitioners are back before this Court challenging

Annexure- 9, which is a speaking order passed by the Principal

Secretary, Finance, Government of Bihar. Earlier when they moved the High Court seeking a higher pay scale of Rs.3050- 4590, they were relegated to the Principal Secretary for taking a decision on their claim. Annexure- 9 is the order thereof, by virtue of which claim of these petitioners have been rejected.

Submission of learned counsel for the petitioner is that the post of Treasury Sarkar which these petitioners hold is a Class III post, therefore, they are entitled to a higher pay scale than what they have been extended, which has been shown to be Rs.2750- 4440.

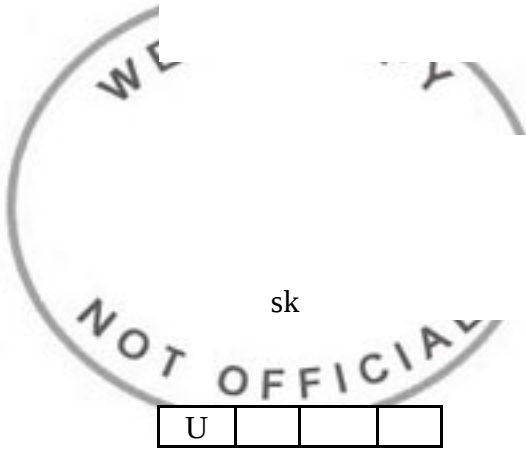
The Court has gone through the order of the Principal Secretary. The Principal Secretary has very meticulously traced the status of these petitioners, the pay band or the pay scale to which they were recommended by previous Pay Revision Committee which included 3rd and 4th as well as the Fitment Committee. Extract of the recommendation of the Fitment Committee has also been reproduced in the speaking order. If that was what was recommended and accepted and notified by the State Government and pursuant thereto the pay scale has been taken as the base, this Court has no powers over and above the specialized committee or the Fitment Committee to recommend any other pay scale to these petitioners especially when it is established that they are not class III employees.

This Court does not find any infirmity in the rational and reasoning provided by the Principal Secretary in rejection of the

claim of the petitioners.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)



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