

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.273 of 2012

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Timothy Marandi S/o Late Charles Marandi, resident of village - Aaharpur,
P.S. Katoria, District – Banka.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Mr. Navin Kumar
2. Mr. V. Rajendra, Secretary, Rural Works Department, Bihar, Patna
3. Mr. Pratyay Amrit, Secretary, Road Construction Department, Govt. of Bihar, Patna
4. Mr. Deo Narayan Prasad, Chief Engineer, National Highway (Wing), Bihar, Patna
5. Mr. Bishwanath Choudhary, Chief Engineer (Headquarter), Rural Works Department, Bihar, Patna
6. Mr. Ram Awadhesh Prasad, Superintending Engineer, National Highway Circle, Bhagalpur
7. Mr. Kameshwar Prasad Sinha, Executive Engineer, National Highway Division - 2, Bhagalpur
8. Mr. Radha Krishna Nand, Executive Engineer, Design Division (Headquarter) - 2, Rural Works Department, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak
For the Respondent/s : Mr. P.K. Verma, AAG 5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

14 18-05-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

This Court, vide order dated 4th March 2010 in CWJC
No. 17748 of 2009, disposed of the writ application in the
following terms:-

“Let the respondents examine the
correctness of the order dated 5.7.2004 reducing the
pay scale of the petitioner to that of a Junior



Accounts Clerk from that of a Accounts Clerk in light of the decisions of this Court as contained in Annexures 6 to 9 and Annexures 11 to 14, and dispose the same by a reasoned and speaking order, within a maximum period of three months from the date of receipt/production of a copy of this order.

If the respondents find justification in his claim, it is expected that the legitimate dues shall be paid within the same period.

If the respondents propose to distinguish the case of the petitioner from those orders of this Court relied upon, they are required to pass a reasoned and speaking order setting out the points of issue for such distinction from the law laid down by this Court in so far as the petitioner is concerned, so that judicial review of their order, if the need arises, shall be facilitated. The application stands disposed.”

The counsel for the petitioner submits that the State has filed the supplementary show cause on 5th May 2015 where the Resolution of Finance Department dated 25th March 2015 has been attached, thereby his grievance has been redressed but the actual payment has not been made.

This application is disposed of with a direction that if the petitioner falls under the Resolution of Finance Department dated 25th March 2015, his case should be considered and the actual payment should be made according to the aforesaid Resolution within a period of three months from the date of receipt/production of a copy of this order.

(Shivaji Pandey, J)

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