

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 19945 of 2011

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Madan Prasad aged about 71 years Son of Late Kesho Lal, Office Superintendent, Resident of Magadh Colony, at & P.O. Chandauti, District-Gaya.

.... Petitioner/s

Versus

1. The Bihar State Electricity Board (Now Holding Company) through its Chairman Vidyut Bhawan, Bailey Road, Patna.
2. The Secretary Bihar State Electricity Board, (Now Holding Company), Vidyut Bhawan Bailey Road, Patna.
3. The Joint Secretary Accounts Establishment, Bihar State Electricity Board (Now Holding Company), Vidyut Bhawan, Bailey Road, Patna.
4. The Financial Controller Bihar State Electricity Board (Now Holding Company) Vidyut Bhawan, Bailey Road, Patna.
5. The General Manager-cum-Chief Engineer, Transmission Zone II, B.S.E.B., at & P.O. Chandauti, P.S. & District Gaya.
6. The Electrical Superintending Engineer, B.S.E.B. Gaya Electric Circle, Katari Road, P.O. + P.S. and District Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. R. K. Sinha &
Mr. Nilesh Kumar Nirala, Advocates.

For the Respondent/s : Mr. Ranjit Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

5 20-08-2015

Heard learned counsel for the parties.

The present writ application has been filed seeking a direction to the respondents for quashing the impugned order of reduction of basic pay dated 13.07.2000 by which basic pay of the petitioner was reduced from Rs. 3200/- per month to Rs. 2975/- per month.

Learned counsel for the petitioner submits that though the basic pay of the petitioner is Rs. 3200/- per month with effect from 07.04.1981 but later vide circular of the Board bearing no. 125 dated 07.05.1983, the actual

benefit was to accrue from that date. However, the respondents have gone one step further and even reduced the basic pay of Rs. 3200/- to Rs. 2975/-, which is arbitrary and impermissible.

Learned counsel for the Board submits that the issue has been decided by a Bench of this Court on 13.05.2011 in the case of **Nawal Kishore Prasad Vs. The Bihar State Electricity Board & Ors.** in **C.W.J.C. No. 18367 of 2010** wherein the Court has held that the authorities of the Board are required to re-fix the pay of the petitioner by giving him due pay benefit with effect from 07.05.1983.

Thus he submits that the matter may be disposed off in the same terms.

Learned counsel for the petitioner does not object to the same.

In view of the aforesaid, the present writ application stands disposed off in terms of the order dated 13.05.2011 passed in C.W.J.C. No. 18367 of 2010. It is clarified that the petitioner would be entitled to the basic pay of Rs. 3200/- with effect from 07.05.1983. The arrears, if any, be paid to the petitioner within two months from the date of receipt/production of a copy of this order.

It goes without saying that any consequential benefit based on such re-fixation of basic pay by the authorities shall also be paid to the petitioner within the next

two months thereafter.

The application stands disposed off in the
aforementioned

(Ahsanuddin Amanullah, J.)

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