

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23583 of 2013

1. Dr. Usha Kiran Narain W/O Sri Abhay Shankar Singh Resident Of Road No. 6,
Rajendra Nagar, P.S- Kadamkuan, Distt- Patna.

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. Of Bihar Having His
Office at Old Secretariat, P.S- Sachivalya, Distt- Patna.

2. The Principal Secretary, Human Resources Development Department (Higher
Education) Government Of Bihar Having His Office At Vikas Bhawan, P.S-
Sachivalay, Distt- Patna.

3. The Principal Secretary, Finance Department Having His Office At Old
Secretariat, P.S- Sachivalaya, Distt- Patna.

4. The Director, Human Resources Development Department (Higher Education),
Having His Office At New Secretariat (Vikas Bhawan,), P.S- Sachivalaya, Distt-
Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Vikas Mohan

For the Respondent/s : Mr. Subhash Pd. Singh, GA 7

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-04-2015

Petitioner tried to make out a case of discrimination by
filing IA No.8730 of 2014 and assailing Annexure- 16 on the ground
that one Putual Rani was granted benefit of pay scale of Rs.3700-
5700 under first time bound promotion scheme whereas the
petitioner has been granted pay scale of Rs.3000- 5000. After filing
of the present IA, State was directed to file a supplementary counter
affidavit, which has been now filed as 2nd supplementary counter
affidavit wherein they have clearly stated that the correct pay scale
has been given to the petitioner. The pay scale for time bound
promotion after 10 years was Rs.3000- 5000. Examples of other

similarly situated teachers have also been annexed that they have been given the same benefit. So far as Putul Rani is concerned, the matter has been referred to Finance Department because she seems to have been granted wrong pay scale for the reason best known to the authorities then. Respondents have also annexed the speaking order contained in Annexure- A with regard to other teachers, which also certifies the position that the pay scale to be extended is Rs.3000-5000 and not Rs.3700- 5700. An aberration, therefore, cannot form the rule. The respondent authorities will do the needful with regard to wrong pay scale given to Putul Rani.

Yet another grievance of the petitioner is that she is entitled to certain benefits by virtue of completing a Ph.D. That issue has to be raised before the competent authority, who will take a decision within three months of filing of an application by the petitioner.

So far as change of pay scale in terms of Annexure- 16 is concerned, writ application is dismissed as there is no merit.

(Ajay Kumar Tripathi, J)

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