

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5221 of 2015

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1. Ram Kumar Rai, son of Late Triveni Rai, resident of village- Mahmada, P.O. + P.S.-PUSA, District- Samastipur.
 2. Deo Prasad Rai, son of Late Ram Bichar Rai, resident of village-Brahampur, P.O+P.S.- Parsa, District- Saran.
 3. Bindeshwari Mandal, son of Late Ram Awatar Mandal, resident of village- Soreshund, P.O.+P.S.- Runni Saidpur, District- Sitamarhi.
 4. Deeplal Singh Yadav, son of Late Mogal Singh Yadav, resident of village- Bandhuchak, P.O.- Alinagar, Pali, P.S.- Pali, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
2. The Agriculture Production Commissioner, Bihar, Patna.
3. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.
4. The Rajendra Agriculture University, PUSA through its Vice-chancellor, PUSA, Samastipur.
5. The Vice-chancellor, Rajendra Agriculture University, PUSA, Samastipur.
6. The Director (Administration), Rajendra Agriculture University, PUSA, Samastipur.
7. The Director (Administration), Rajendra Agriculture University, PUSA, Samastipur.
8. The Comptroller, Rajendra Agriculture University, PUSA, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Giri

For the Respondent/s : Mr. SC20-Dr. A.K. U Padhyaya
Mr Chandra Mohan Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-05-2015

Stand of the petitioners that they are entitled to the same pay scale or pay parity as other ministerial employees of the Rajendra Agriculture University is not being seriously disputed by the University in the counter affidavit. No doubt, earlier the stand was that the benefit had been extended only to such persons in whose favour there was a judicial order. Now, the University in principle

has decided to give benefit across the board for which the State has already been approached and they are waiting the Cabinet approval.

Such an exercise is a procedural exercise. It does not come in the way of the claim of the petitioners for grant of such benefit. The view expressed by this Court in similar writ application earlier, which was CWJC No.15661 of 2014 and other analogous cases, decided on 7.4.2015, therefore, applies even to these petitioners and the writ application, therefore, is allowed. The impugned order contained in Annexure- 10, dated 20.3.2015 is quashed. Respondents will do the needful as follow up action.

Writ is allowed.

(Ajay Kumar Tripathi, J)

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