

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1761 of 2013

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1. Ramashray Raut S/O Late Bharosh Raut R/O Village- Sapahi, P.S.-Turkaulia, District- East Champaran
 2. Madan Raut S/O Late Gudari Raut R/O Mohalla- Agarawa, P.S.-Motihari Town, District- East Champaran
 3. Bikarama Prasad S/O Late Kalicharan Prasad R/O Village- Sonwal, P.O.- Sonwal, District- East Champaran
 4. Mahendra Chaudhary S/O Late Rambahadur Chaudhary R/O Village-Dhebahan, P.O.-Kanti, P.S.-Kanti, District- Muzaffarpur
 5. Suresh Ram S/O Late Jogi Karmate @ Jogi Kamati R/O Village-Gothwada, P.O.- Moro, P.S.- Basuara, District- Darbhanga

.... Petitioners

Versus

1. The State Of Bihar Through The Chief Secretary, Bihar, Patna
2. The Chief Secretary, Bihar, Patna
3. The Principal Secretary Water Resource Department, Govt. Of Bihar, Patna
4. The Principal Secretary Finance, Govt. Of Bihar, Patna
5. The Gandak Command Area Development Agency At P.O. & P.S.- Muzaffarpur, District- Muzaffarpur Through Its Chairman-Cum-Regional Area Development Commissioner
6. The Chairman-Cum-Regional Area Development Commissioner The Gandak Command Area Development Agency, At P.O. & P.S.- Muzaffarpur, District- Muzaffarpur
7. The Secretary Gandak Command Area Development Agency At P.O. & P.S.- Muzaffarpur, District- Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar no.1, Advocate
For the Respondent/s : Mr. Manish Kumar 3, AC to SC 6 and
Mr. SC Jha-3

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

7 14-12-2015 Heard learned counsel for the petitioners, state and respondents 5 to 7.

The petitioners are employees of Gandak Command Area Development Agency, hereinafter referred as the GADA. They seek the benefits of 5th Pay revision for the period between 01.01.2002 to 31.12.2008, which had initially been granted and subsequently withdrawn without providing them any

opportunity of hearing. They submit that the government employees, who were earlier employees of the GADA, were granted benefit of 5th pay revision. They submit that they are performing equal nature of work and as such they may be given the benefit of 5th pay revision scale.

The counter affidavit has been filed on behalf of the respondents. They submit that earlier C.W.J.C.No. 12039 of 2002 was filed by Gandak Karamchari Sangh against withdrawal of the aforesaid benefits which was dismissed vide order dated 6.5.2007. However, in LPA no.590 of 2007 heard analogous with other LPAs. the division bench of this court vide common order dated 23.6.2011 directed the respondents to pass appropriate order after hearing the parties. The petitioners have already filed representation in this regard.

Without going into the merit of this case, the writ application is disposed of observation that the petitioners shall file fresh representation before appropriate authority who would consider the matter and dispose of the same in accordance with law.

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(Samarendra Pratap Singh, J)