

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13376 of 2014

1. Arun Kumar Singh, son of Late Ram Chandra Singh, resident of village Morsand, P.S. Runni Saidpur, District Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture Department, Government of Bihar, Patna
2. The Principal Secretary, Agriculture Department, Government of Bihar, Patna
3. The Agriculture Production Commissioner, Government of Bihar, Patna
4. The Director (Administration)-cum-Additional Secretary, Agriculture Department, Government of Bihar, Patna
5. The Principal Secretary, Finance Department, Government of Bihar, Patna
6. Rajendra Agricultural University, Pusa, District- Samastipur through its Registrar
7. The Vice Chancellor, Rajendra Agricultural University, Pusa, District- Samastipur
8. The Registrar, Rajendra Agricultural University, Pusa, District- Samastipur
9. The Director Administration, Rajendra Agricultural University, Pusa, District- Samastipur

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. V R P Singh
Mr. Rajan
For the Respondent State: Mr. Krishna Kumar Singh, AC to GP 22
For the University : Mr. A K Upadhyay
Mr. Chandra Mohan Singh

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 01-08-2016

Annexure-9 is the culmination of the decision taken and communicated at the level of the State Government and the University on the prayer of the petitioner for revision of his pay-scale which, according to him, was not properly done on 1.1.1996.

From a reading of Annexure 9 it is evident that the pay-scale which has been extended to the petitioner is based on the recommendation of the Pay Revision Committee which is an expert body to decide and such decision which has been in vogue from 1.1.1996 has further undergone a change w.e.f. 1.1.2006

and the next one is under the pipeline.

Keeping in view the consistent view of the Hon`ble Apex Court in such matter that it is not the writ court to decide the kind of replacement of pay-scale which is required to be extended to a post or a position, this Court will not interfere with Annexure-9 in any manner.

The issue must rest now because replacement scale prior to 1.1.1996 used to be recommended on scale to scale basis. After 1.1.1996, the Pay Revision Committee of the Central Government adopted the policy of replacement on the basis of post to post basis. Since the State Government has been adopting such recommendation of the Central Government by and large in toto, there can be no deviation from such recommendation.

Writ application is dismissed being devoid of merit.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	01/08/2016
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