

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22078 of 2014

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1. Amita Datta w/o Sri Ashok Datta resident of Flat No. 2A, Sur Sudha Apartments,
East Boring Canal Road, P.S. - Buddha Colony, Patna - 800001, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director (Higher Education), Education Department, Govt. of Bihar, Patna.
4. The Principal, Rajkiya Mahila Mahavidyalaya, Gardanibagh, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

For the Respondent/s : Mr. Sarvesh Kr. Singh, AAG 13
Mrs Sunita Kumari, AC to AAG 13

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-09-2016

Heard counsel for the petitioner and counsel for the
State.

The impugned order contained in Annexure- 8/1, dated
16.6.2008 is being challenged after more than six years. Earlier, the
petitioner had approached the High Court. The matter was disposed
of with a direction upon the Principal Secretary, Department of
Education, HRD then, to take a decision on the pay scale to which the
petitioner would be entitled. A clear and categorical finding with
regard to the claim of the petitioner is that for a Sorter the pay scale
authorized by the Finance Department is 3050-4590. Petitioner is
looking for pay scale of 4000- 6000.

In absence of any notification having been brought on

record, which could in any manner establish the fact that Rs.4000-6000 pay scale is available to the Sorter, the order of the Principal Secretary, Department of Human Resources, is not required to be interfered with because no infirmity emerges from the said decision.

The issue of grant of ACP is not entertained by this Court in the present writ application. It is a separate cause of action.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	28.9.2016
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