

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11360 of 2011

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1. Mahipat son of Banwari
2. Bikash Kumar Balmiki, son of Bishun Ram
3. Kunta Devi wife of Late Puran
All R/o Moh. Ambedkar Nagar Colony, P.S. Sultanganj, Patna.
..... Petitioners

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Urban Development and House,
Govt. of Bihar, Patna
3. The Patna Municipal Corporation cum Municipal Commissioner, Budh
Marg, Patna 1
4. The Chairman, Municipal Corporation, Budh Marg, Patna 1
5. The Chief Executive Officer, Patna Municipal Corporation, Budh Marg,
Patna 1
6. The Executive Officer, Patna City Circle, Patna Municipal Corporation,
Meena Bazar, Patna City.

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda
For the Respondent/s : AC to Sc26
Mr. Prasoon Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 03-02-2016 Heard learned counsel for petitioners, learned A.C. to
Standing Counsel – 26 as well as learned counsel for the
respondent/Patna Municipal Corporation.

Despite the fact that the case was earlier adjourned in
the year 2011, no counter affidavit has been filed. However, in
view of facts and circumstances, the Court proposes to dispose of
the present writ petition on the basis of materials available on
record.

Three petitioners, who have claimed to be Class IV
employees of the Patna Municipal Corporation, have approached

this Court for directing the respondents to pay arrear of salary/difference of salary on account of revision of pay-scale.

In the writ petition, petitioners have brought on record their representations filed before the Municipal Commissioner, Patna. Learned counsel for petitioners submits that even after filing of the representations, no decision has been taken.

The Court proposes to dispose of the writ petition granting liberty to petitioners to file fresh representation(s) before respondent no. 3/Municipal Commissioner, Patna with supportive documents in respect of claim raised in the present writ petition.

If such representations are filed within a period of eight weeks from today, the Court expects that respondent no. 3 may examine the same and pass appropriate order in accordance with law, preferably within a period of three months from the date of filing of such representation. If respondent no. 3 considers the claim of petitioners as genuine, he is required to pass order for payment within aforesaid time. Even in case of refusal, the respondent no. 3 is required to pass a speaking order and communicate the same to the petitioners within aforesaid time.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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