

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12101 of 2013

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1. Md. Zahid Son Of Late Ibrahim Resident Of Mohalla- Samanpura, Police Station- Shastri Nagar, Raja Bazar, District- Patna
 2. Siyaram Prasad Son Of Sri Chando Mahto Resident Of Village- Manwa, Police Station- Hasua, Post Office- Punther, District- Nawada
 3. Jai Prakash Kumar Son Of Sri Hari Nandan Sharma Resident Of Mohalla- Bhabha Colony, Lohiya Nagar, Police Station- Patrakar Nagar, Hanuman Nagar, Kankarbagh, District- Patna
 4. Deepak Kumar Son Of Late Ramchandra Razak Resident Of Mohalla- Golkpur, Police Station- Sultanganj, District- Patna
 5. Rama Nath Choudhary Son Of Sri Jagannath Choudhary C/O Sri Sanjay Kumar Singh, Resident Of Mohalla- West Devi Asthan Lane Chraiyatar, Police Station- Jakanpur, District- Patna
 6. Jyoti Sharan Son Of Late Dayal Sharan Singh Resident Of E- 1/23, Jai Prakash Nagar, Ashiana Digha Road, Police Station- Digha, District- Patna
 7. Dr. Sanjay Kumar Son Of Sri Kedar Prasad Singh Resident Of Gayatri Bhawan, Near Shivpuri, Shiv Mandir, Police Station- Chitkohara, Anishabad, Patna, District- Patna- 02
 8. Amrendra Kumar Son Of Sri Pandey Dwijendra Prasad Resident Of R.F.- 252, Kankarbagh, Police Station- Kankarbagh, District- Patna
 9. Awadhesh Kumar Son Of Sri Yamuna Prasad Yadav Resident Of Village And Post Office- Tarwara, Police Station- Virol, District- Darbhanga
 10. Subroto Bose Son Of Late Ajeet Kumar Bose Resident Of South C.D.A. Colony, Police Station- Shastri Nagar, District- Patna
 11. Smt. Rekha Sinha Wife Of Sri Shailesh Kumar Sinha Resident Of Mohalla- Shivpuri, Post Office- Lal Bahadur, Shastri Nagar, Police Station- Shastri Nagar, District- Patna
 12. Jageshwar Paswan Son Of Late Brihaspat Paswan Resident Of Mohalla- Vishnupuri, Police Station- Gardanibag, Anishabad, District- Patna
 13. Deepak Kumar Singh Son Of Sri Vishnudeo Singh Resident Of Kali Bhawan, West Lohanipur, Police Station- Kadamkuan, Patna, District- Patna
 14. Chandra Bhushan Prasad Son Of Sri Ishwar Dayal Maurya Resident Of Village- Dakhin Gaon, Post Office And Police Station- Wazirganj, District- Gaya
 15. Ashok Kumar Chakarwari Son Of Sri Ramwaran Paswan Resident Of Village- Sonaru, Post Office And Police Station- Phatuha, District- Patna
 16. Smt. Asha Prasad Wife Of Sri Balmiki Prasad Resident Of Mohalla- Machhuatoli, Khajanchi Lane, Police Station- Danapur Kant, District- Patna
 17. Manoj Kumar Son Of Late Jai Govind Mahto Resident Of Mohalla- Duzara Chak, Police Station- Budha Colony, District- Patna
 18. Maskalan Horo Son Of Late Junas Horo Resident Of Mohalla- Lodipur, Police Station- Kotwali, District- Patna
 19. Ramashish Mandal Son Of Late Sudan Mandal Resident Of Mohalla- Shivpuri, Chitkohara, Jagriti Path, Anishabad, Police Station- Gardanibagh, Patna, District- Patna
 20. Ramchandra Ram Son Of Late Bikau Ram Resident Of Mohalla- East Lohanipur, Nisha Mandir, Devi Asthan, Road No. 1, Police Station- Rajendra Nagar, District- Patna
 21. Naresh Kumar Son Of Late Kishana Ram Resident Of Mohalla-

Shivpuri, Chitkohara, Police Station- Gardanibag, District- Patna
22. Sunil Kumar Son Of Late Panchu Mahto Resident Of Mohalla-
Kazipura, Police Station- Narhat, District- Nawada
23. Vinod Kumar Singh Son Of Late Rajendra Prasad Singh Resident Of
Mohalla- Budhjivi Colony, Road No. 13, Post Office- Anisabad, Police
Station- Beur, District- Patna
24. Paltan Ray Son Of Late Ramsagar Ray Resident Of Mohalla- B- 13,
Housing Colony, Lohianagar, Police Station- Kankarbagh, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government Of Bihar, Old Secretariat, Patna
3. The Principal Secretary, Education Department, Government Of Bihar,
New Secretariat, Patna
4. Director, Higher Education, Government Of Bihar, New Secretariat,
Patna
5. Director Administration-Cum-Additional Secretary Education
Department, Government Of Bihar, New Secretariat, Patna
6. Principal Secretary, Department Of Finance, Government Of Bihar, Old
Secretariat, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Y. Kishore, Sr. Advocate.
Mrs. Nutan Sahay, Advocate.
For the State : Mr. Alok Ranjan, AC to GA 13.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

In the present writ petition, petitioners have prayed for
quashing letter no.1877 dated 19.9.2012 (Annexure-8) issued
by the Director Administration-cum-Additional Secretary
(respondent no.5) along with its enclosure by which the
respondent no.5 had directed to the institutions to act as per
the notings of the Finance Department in which it has been



stated that the petitioners will not be entitled for getting the benefit of fifth and sixth pay revision and also for issuance of a writ of mandamus directing/commanding the respondents to give the benefit of fifth pay revision w.e.f 01.01.1996 and sixth pay revision 01.01.2006 in pursuance of the recommendations of the 5th and 6th pay revision committee report and further to pay interest @ 15% on the said dues because the petitioners have arbitrary not been paid the same.

Learned counsel for the State has pointed out that whatever grievances were there have already been taken care of and has been redressed by resolution no.1720 dated 26.9.2013.

An interlocutory application has been filed by the petitioners where grievances has been raised that respondent has not given proper treatment in granting the scale of pay as per 4th and 5th Pay Revision Commission report and still anomalies are lying while implementing the 4th and 5th Pay Commission Report.

The petitioners, if so advised, may file representation before the competent authority pointing out the anomalies in the fixation of salary. If such representation is filed the concerned authority will dispose of the same within a period

of three months form the date of filing of the representation.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

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