

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15263 of 2013

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1. Keshri Nandan Dwivedi Son Of Late Ram Padarath Dwivedi Resident Of
Village- Chandiha, P.S. Purnahiya, District- Sheohar

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department,
Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health
Engineering Department, Government Of Bihar, Bishweshwaraiya
Bhawan, Bailey Road, Patna
4. The Chief Engineer, Mechanical, Public Health Engineering Department,
Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department,
Muzaffarpur Null Government Of Bihar, Bishweshwaraiya Bhawan, Bailey
Road, Patna
6. The Superintending Engineer, Public Health Engineering Mechanical
Circle, Muzaffarpur
7. The Executive Engineer, Public Health Engineering Mechanical
Division, Muzaffarpur

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.14959 of 2013

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2. Bhuneshwar Prasad Thakur Son Of Late Anirudh Prasad Thakur
Resident Of Village And P.O. Patahi Jagarnath, P.S. Muzaffarpur Sadar,
District - Muzaffarpur

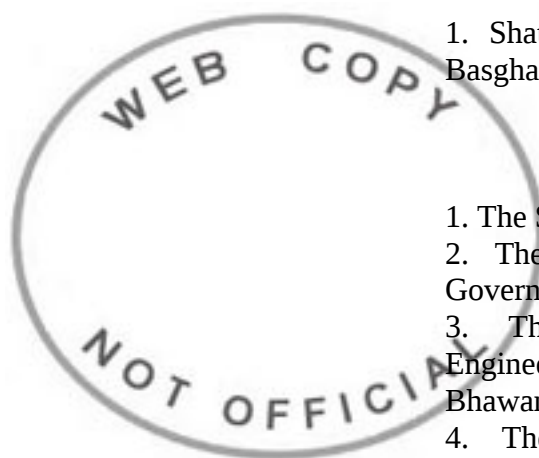
.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department,
Government Of Bihar. Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer - In - Chief - Cum - Special Secretary, Public Health
Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan,
Bailey Road, Patna
4. The Chief Engineer, Mechanical Public Health Engineering Department,
Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department,
Muzaffarpur
6. The Superintending Engineer, Public Health Engineering, Mechanical
Circle, Muzaffarpur
7. The Executive Engineer, Public Health Engineering Mechanical
Division, Muzaffarpur

.... Respondent/s

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with
Civil Writ Jurisdiction Case No.15919 of 2013

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1. Shatrughan Pandit Son Of Brahmdeo Pandit Resident Of Village-Basghata, P.O. Baraitha, P.S. Katra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
4. The Chief Engineer, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur
6. The Superintending Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur
7. The Executive Engineer, Public Health Mechanical Division, Muzaffarpur
8. The Assistant Mechanical Engineer, Public Health Mechanical Sub-Division, Muzaffarpur

.... Respondent/s

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with
Civil Writ Jurisdiction Case No.16742 of 2013

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1. Bishwanath Prasad Son Of Late Chandrika Prasad Resident Of Village-Bishunpur Sri Ram, P.S. Sakra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
4. The Chief Engineer, Mechanical Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur
6. The Superintending Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur
7. The Executive Engineer, Mechanical Division, Muzaffarpur

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.15158 of 2013

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1. Binay Prasad Singh Son Of Late Baleshwar Prasad Singh Resident Of Village, P.O. And P.S. Sarmera, District- Nalanda, Presently Working As Pump Operator In Public Health Mechanical Division, Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Public Health Engineering Department, Govt. Of Bihar, Patna
2. The Principal Secretary, Public Health Engineering Department, Null Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
4. The Chief Engineer (Mechanical), Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Joint Secretary, Public Health And Engineering Department Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
6. The Superintending Engineer, Public Health Engineering Department, Public Health And Engineering Circle, Muzaffarpur
7. The Executive Engineer, Public Health Engineering Department Public Health Mechanical Division, Muzaffarpur

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.21887 of 2013

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1. Dharmendra Kumar Singh S/O Late Niranjan Singh Resident Of Village And P.O- Pupri, P.O- Dariyapur Kafan, P.S- Kurhani, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
3. The Engineer- In- Chief- Cum- Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
4. The Chief Engineer, Mechanical Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
5. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur
6. The Superintending Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur.
7. The Executive Engineer, Public Health Engineering Mechanical Division, Muzaffarpur.

.... Respondent/s



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with

Civil Writ Jurisdiction Case No.15990 of 2013

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1. Binod Kumar Son Of Late Ayodhya Prasad Singh Resident Of Village
And P.O. Kiryat, P.S. Kanti District - Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department,
Government Of Bihar. Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer - In - Chief - Cum - Special Secretary, Public Health
Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan,
Bailey Road, Patna
4. The Chief Engineer, Public Health Engineering Department, Government
Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineer, Public Health
Engineering Department, Muzaffarpur
6. The Superintending Engineer, Public Health Engineering, Mechanical
Circle, Muzaffarpur
7. The Executive Engineer, Public Health Mechanical Division,
Muzaffarpur
8. The Assistant Mechanical Engineer, Public Health Mechanical Sub -
Division, Muzaffarpur

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.15275 of 2013

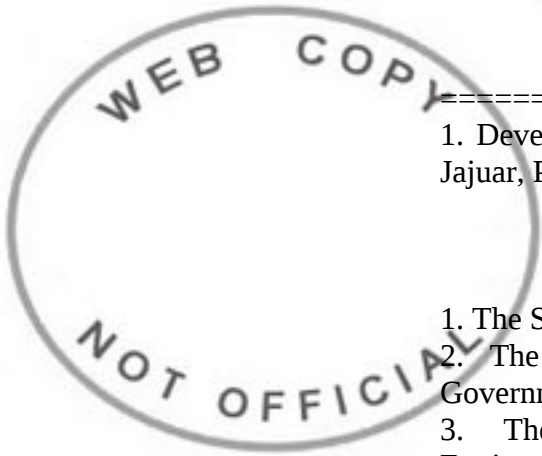
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1. Devendra Prasad Thakur Son Of Late Ganesh Thakur Resident Of
Village- Kishun Nagar, P.O. And P.S. Kanti, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department,
Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health
Engineering Department, Government Of Bihar, Bishweshwaraiya
Bhawan, Bailey Road, Patna
4. The Chief Engineer, Public Health Engineering Department,
Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department,
Muzaffarpur
6. The Superintending Engineer, Public Health Engineering Mechanical
Circle, Muzaffarpur
7. The Executive Engineer, Public Health Mechanical Division,
Muzaffarpur
8. The Assistant Mechanical Engineer, Public Health Mechanical Sub-
Division, Muzaffarpur



.... Respondent/s

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with

Civil Writ Jurisdiction Case No.15276 of 2013

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1. Devendra Lal Son Of Late Mossadi Lal Resident Of Village And P.O. Jajuar, P.S. Katra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
4. The Chief Engineer, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur Null
6. The Superintending Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur
7. The Executive Engineer, Public Health Mechanical Division, Muzaffarpur
8. The Assistant Mechanical Engineer, Public Health Mechanical Sub-Division, Muzaffarpur

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.15817 of 2013

=====

1. Anil Kumar Singh Son Of Late Chandrika Singh Resident Of Village - Gyan, P.O. - Amin Bishunpur, P.S. Karja, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
4. The Chief Engineer, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur
6. The Superintending Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur
7. The Executive Engineer, Public Health Mechanical Division, Muzaffarpur Null Null

8. The Assistant Mechanical Engineer, Public Health Mechanical Sub-Division, Muzaffarpur

.... Respondent/s

with

Civil Writ Jurisdiction Case No.16912 of 2013

1. Syed Anjum Imam Son Of Late Syed Jafar Hasan Resident Of Village - Khemti Patti, P.O. And P.S. Minapur, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
4. The Chief Engineer, Public Health Engineering Department, Government Of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna
5. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur N Ull Null
6. The Superintending Engineer, Public Health Engineering Mechanical Circle, Muzaffarpur
7. The Executive Engineer, Public Health Engineering Division, Muzaffarpur

.... Respondent/s

Appearance :

(In CWJC No.15263 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Dhurjati Kr Prasad

(In CWJC No.14959 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. J.S. Arora

(In CWJC No.15919 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Rajesh Kr.Verma

(In CWJC No.16742 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. S.Raza Ahmad

(In CWJC No.15158 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Md. N. Hoda Khan

(In CWJC No.21887 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Subhash Pd. Singh

(In CWJC No.15990 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Rakesh Kr Samrendra

(In CWJC No.15275 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Girija Shankar Pd

(In CWJC No.15276 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Pawan Kr. Mishra

(In CWJC No.15817 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. A.Ujjwal

(In CWJC No.16912 of 2013)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Rishiraj Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-03-2016

Heard counsel for the petitioners and counsel for the respondents.

As all the aforesaid writ applications involve a common question, the same are being disposed of by this common order.

Counsel for the petitioners appearing in all the cases has submitted that all the petitioners have received their salary. Now their only grievance to be redressed by the respondents is that the pay scale of the petitioners have not yet been fixed in terms of the 6th Pay Revision and deprived of the benefit of 1st ACP and 2nd ACP.

In C.W.J.C. No.16742 of 2013 in paragraph 10 of counter affidavit in internal page 7 the claim of petitioner and the other similarly situated persons are under consideration of the Government and in support of statement Annexed the Letter vide

Memo No.952 dated 16.11.2013 and Resolution No.10710 dated 17.01.2013 In view of the such statement there is no need to issue any direction for consideration of the grievance of the petitioners as already the matter is pending for consideration.

However, the State would take step with regard to the fixation of pay in terms of the 6th Pay Revision within three months from the date of receipt/production of a copy of this order.

While disposing of the matter respondents would also make enquiry whether any similarly situated person has received same benefit or not.

It goes without saying that if it is found the petitioner is entitled will be paid.

With this observation these writ petitions are disposed of.

(Shivaji Pandey, J)

AnilKrSinha/-

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