

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6846 of 2013

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1. Naiyar Nezami Jafri S/O Late Syed Salahuddin Jafri R/O Kaghzi Mohalla, Near Jeem Kuan, P.O.- Biharsharif, P.S.-Biharsharif, District-Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar, Through The Chief Secretary Government Of Bihar, Old Secretariat, Patna
2. The Principal Secretary Finance Department, Government Of Bihar, Old Secretariat, Patna
3. The Secretary (Expenditure) Finance Department, Government Of Bihar, Old Secretariat, Patna
4. The Additional Secretary, Finance Department Government Of Bihar, Old Secretariat, Patna
5. The Joint Secretary Finance Department, Government Of Bihar, Old Secretariat, Patna
6. The Deputy Secretary Finance Department, Government Of Bihar, Old Secretariat, Patna
7. The Assistant Controller (Budget) Finance Department, Government Of Bihar, Old Secretariat, Patna
8. The Treasury Officer, Secretariat Treasury, Sinchai Bhawan, Patna
9. The Treasury Officer, Nalanda Treasury, Bihar Sharif

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhruv Mukherjee, Sr. Advocate.
For the State : Mr. M.K. Singh, SC 6
Mr. Sanjay Mandal, AC to SC 6.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 16-05-2016

Heard learned counsel for the petitioner and learned counsel for the State.

In the present writ petition, petitioner is claiming to be appointed on compassionate ground in the Treasury and claim has been made to provide the pay scale of Rs.5000-Rs.8000 with effect from the date of joining.



Fifth Pay Commission recommendation came into existence on 18.12.1989. As per claim of the petitioner 324 persons of Treasury came to this Court in C.W.J.C. No.3063 of 1992 with a prayer to grant of pay scale of Rs.5000- Rs.8000, 324 petitioners were constituting two categories of persons, first 265 persons were those who were of another department had given option for Treasury and second category of 59 persons are those who were appointed on compassionate ground after 1979.

These petitioners were appointed on compassionate ground on 18.7.1998. The Government took a policy decision for the dissolution of centralized Treasury, was arranged in the district wise under the administrative control of the Commissioner. Accordingly petitioners were posted at Nalanda Treasury. Claim of the petitioner is that he is entitled to pay scale of Rs.5,000-Rs.8,000/- from the date of joining and claim has been made that similarly situated persons have been given the aforesaid scale. He has placed reliance on the orders passed by this Court in C.W.J.C. No. 817 of 2007 (Prabhat Shankar Poddar and others v. The State of Bihar and others) and C.W.J.C. No.6751 of 2007 (Vijay Kumar Sinha and others V. The State of Bihar and others).

Learned counsel for the petitioner submits that case of the petitioner is identical to those persons and is entitled for identical benefit as has been extended to them.

The respondent authority is directed to consider the case of the petitioner, if it is found, the case of present petitioner is identical extend the benefit as has been given to Prabhat Shankar Poddar.

For convenience, the petitioner is directed to file detailed representation and same would be disposed of within a period of three months from the date of its filing.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	20.5.2016
Transmission Date	