

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.379 of 2016
IN
Civil Writ Jurisdiction Case No. 2269 of 2014**

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Hemant Kumar Singh, S/O Late Chandra Shekhar Prasad Singh, Resident At
Village Karmaini, P.S- Sanjholia, District- Rohtas.

.... Petitioner-Appellant/s

Versus

1. The State of Bihar
2. The Health Secretary, Govt. of Bihar, Patna.
3. The Director-in- Chief, Department of Health, Govt. of Bihar, Patna.
4. The Finance Commissioner, Govt. of Bihar, Patna.
5. The Principal, Patna Medical College, Patna, Bihar.

.... Respondents- Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar No. 1, Advocate

For the Respondent/s : Mr. G. P. Ojha, GA-7

Mr. Gopal Krishna, AC to GA-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-03-2017

Appellant's claim for granting him pay scale of Lab Technician in the scale of Rs.4500-7000/- has been rejected by the learned Writ Court and while doing so, the learned Writ Court took note of the fact that the appellant was not substantively appointed as Lab Technician. He was appointed by way of absorption on this post in accordance to the terms and conditions notified in Annexure-3, which was accepted by him and finding him to have accepted the terms and conditions without any objection and worked in the pay scale of Rs.3050-4590/-. The learned Writ Court rejected his claim based on the



principle of equal work and equal wages finding that the absorption as a Lab Technician was by way of adjustment subject to the certain conditions and, therefore, liberty was granted to him to approach the Pay Revision Committee for considering his claim. In doing so, the writ Court has not committed any error warranting reconsideration. The Letters Patent Appeal is, therefore, dismissed.

Liberty granted to the appellant by the learned Writ Court to approach the Pay Revision Committee shall be available to the appellant.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N.A.F.R
CAV DATE	N. A.
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