

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.922 of 2017

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1. Suresh Prasad, Son of Late Jagdish Mahto, resident of village + P.O. Akauna Bazar, P.S. Nawada Muffasil, District - Nawada at Present Posted as Panchayat Secretary at Rajauli Block, District - Nawada
 2. Bir Kumar Singh, Son of Late Baidyanath Yadav, resident of village - Tanpura, P.O. Cherwar, P.S. Pakri Barawan, District - Nawada at present posted as Panchayat Secretary at Kauwa Kole Block, District - Nawada
 3. Madan Prasad Kushwaha, Son of Hulas Prasad Kushwaha, resident of village + P.O. Mahrawan, P.S. Roh, District - Nawada, at Present posted as Panchayat Secretary at Hisua Block, District - Nawada
 4. Arun Kumar, Son of Sri Banwari Prasad Yadav, resident of village - Gopalpur, P.O. Nawadih, P.S. Rupou, District - Nawada, at present posted as Panchayat Secretary at Warsaliganj Block, District - Nawada
 5. Arun Kumar, Son of Jai Prakash Singh, resident of Dola, P.O. Deodha, P.S. Pakri Barawan, District - Nawada at present posted as Panchayat Secretary at Kauwa Kole Block, District - Nawada
 6. Kamlesh Kumar, Son of Late Nathun Mahto, resident of village - Bahera, P.O. Sumrigarh, P.S. Warsaliganj, District - Nawada, at Present posted as Panchayat Secretary at Hisua Block, District - Nawada
 7. Sanjay Kumar Singh, Son of Sri Roop Narayan Singh, resident of village - Pachwara, P.O. Saurajepur, P.S. + Block Warsaliganj, District - Nawada at present posted as Panchayat Secretary at Nawada Block, District - Nawada
 8. Ram Ballav Singh, Son of Late Munna Singh, resident of village + P.O. Kashichak, District - Nawada, at present posted as Panchayat Secretary at Roh Block, District - Nawada
 9. Shambhu Saran Prasad, Son of Late Tilakdhari Prasad, resident of village - Nawadih, P.O. Pithouri, P.S. Akbarpur, District - Nawada at Present posted as Panchayat Secretary at Rajauli Block, District - Nawada
 10. Bhuneshwar Prasad, Son of Late Bharat Prasad, resident of village - Dhanuchak, P.O. Bahadurpur, P.S. Rajauli, District - Nawada at Present posted as Panchayat Secretary at Akbarpur Block, District - Nawada
 11. Jai Nandan Prasad, Son of Late Gendu Singh, resident of village + P.O. Targir, P.S. Rajauli, District - Nawada at Present posted as Panchayat Secretary at Akbarpur block, District - Nawada
 12. Pawan Kumar, Son of Late Kailash Prasad, resident of village - Govindpur, P.S. Shambe, P.S. Warsaliganj, District - Nawada at Present posted as Panchayat Secretary at Nawada Block, District - Nawada
 13. Shailendra Kumar, Son of Late Bhagwat Prasad Yadav, resident of village - Jhiktauna, P.O. Siswa, P.S. Mufti Akauna, District - Nawada at Present posted as Panchayat Secretary at Sirdala Block, District - Nawada
 14. Kailash Ram, Son of Late Ram Tahal Ram, resident of village - Gangadih, P.O. Tetariya, P.S. Govindpur, District - Nawada at Present posted as Panchayat Secretary at Rajauli Block, District - Nawada
 15. Manoj Kumar, Son of Late Basudeo Prasad, resident of village + P.O. Dhamni, P.S. Rajauli, District - Nawada at Present posted as Panchayat Secretary at Warsaliganj Block, District - Nawada
 16. Mahendra Kumar Pandey, Son of Late Chandra Shekhar Pandey, resident of village + P.O. Sakdar, P.S. Wazirganj, District - Gaya, at Present posted as Panchayat Secretary at Roh block, District - Nawada
 17. Ram Swaroop Yadav, Son of Late Tukkan Yadav, resident of village -



- Jhirjho, P.O. + P.S. Rajauli, District - Nawada at Present posted as Panchayat Secretary at Akbarpur Block, District - Nawada
18. Shailendra Prasad, Son of Sri Brijnandan Prasad, resident of village + P.O. Jalalpur, P.S. Warsaliganj, District - Nawada at Present posted as Panchayat Secretary at Kauwa Kole block, District - Nawada
19. Krishna Kumar, Son of Late Jagdish Mahto, resident of village - Govindpurdih, P.O. + P.S. Govindpur, District - Nawada at Present posted as Panchayat Secretary at Rajauli Block, District - Nawada
20. Rajendra Paswan, Son of Late Sahdeo Paswan, resident of village - Gebali, P.O. Samharigarh, P.S. Roh, District - Nawada at Present posted as Panchayat Secretary at Nawada block, District - Nawada
21. Ambika Prasad Verma, Son of Late Bharat Prasad, resident of village - Dhamuchak, P.O. Bahadurpur, P.S. Rajauli, District - Nawada at Present posted as Panchayat Secretary at Sirdala Block, District Nawada
22. Ram Briksh Paswan, Son of Late Shyam Lal Paswan, resident of village - Karmatand, P.O. Kadahar, P.S. Kauwa Kole, District - Nawada at Present posted as Panchayat Secretary at Hisua block, District - Nawada
23. Nagendra Kumar, Son of Sri Kameshwar Singh, resident of village - Diaura, P.O. Budhauli, P.S. Pakri Barawan, District - Nawada at Present posted as Panchayat Secretary at Kauwa Kole Block, District - Nawada
24. Lalan Prasad Singh, Son of Sri Dani Singh, resident of village - Gopalpur, P.O. Makhan, P.S. Akbarpur, District - Nawada at Present posted as Panchayat Secretary at Govindpur Block, District Nawada
25. Ram Lakhan Prasad, Son of Late Chandeshwar Mahto, resident of Mohalla Kanhai Nagar, P.O. Nawada, P.S. Nawada (Town), District - Nawada, Superannuated as Panchayat Secretary at Pakri Barawan Block, District - Nawada
26. Sadanand Prasad Singh, Son of Late Balratan Prasad Singh, resident of village + P.O. Dumrawan, P.S. Pakri Barawan, District - Nawada, Superannuated as Panchayat Secretary at Sirdala Block, District - Nawada
27. Ravi Shankar Singh, Son of Late Dhanushdhari Singh, resident of village - Anti, P.O. Nardiganj, P.S. Nawada, District - Nawada, Superannuated as Panchayat Secretary at Nardiganj Block, District - Nawada
28. Uday Prasad Singh, Son of Late Dwarka Singh, resident of village - Balaiya, P.O. Bhanai, P.S. Akbarpur, District - Nawada, Superannuated as Panchayat Secretary at Rajauli Block, District - Nawada
29. Ravindra Kumar Sharma, Son of Sri Lakhan Singh, resident of village + P.O. Budhauli, P.S. Pakri Barawan, District - Nawada, at Present posted as Panchayat Secretary at Akbarpur Block, District - Nawada
30. Saroj Kumar, Son of Late Rajeshwar Singh, resident of village - Pajhma, P.O. Bauri, P.S. Kashichak, District Nawada at Present posted as Panchayat Secretary at Pakri Barawan Block, District - Nawada
31. Achchutanand Prasad, Son of Late Rajo Singh, resident of village + P.O. Ohri, P.S. and District - Nawada, Superannuated as Panchayat Secretary at Rajauli Block, District - Nawada
32. Satya Narayan Prasad, Son of Bishnu Sao, resident of village + P.O. + P.S. Kauwa Kolem District - Nawada
33. Ashok Kumar, Son of Late Hari Lal Gupta, resident of village + P.O. + P.S. Kauwa Kolem District - Nawada
34. Ram Naresh Prasad Singh, Son of Baijnath Singh, resident of village - Bagodar, P.S. Hisua, District - Nawada, Superannuated as Panchayat



Secretary at Pakri Barawan Block, District - Nawada

35. Shyam Kishore Sharma, Son of Late Saryu Sharma, resident of village - Khaira, P.O. Kharsari, P.S. Kauwa Kole, District - Nawada, at present posted as Panchayat Secretary at Roh, Block, District - Nawada

36. Murari Prasad, Son of Late Bishundhari Singh, resident of village - Ismailpur, P.O. Bargao, Police Station Sirdala, District - Nawada, at present posted as Panchayat Secretary at Nardiganj Block, District - Nawada

37. Karu Ram, Son of Raso Ram, resident of village - Rajpur, P.O. Ruhila, P.S. + Block Akbarpur, District - Nawada, at present posted as Panchayat Secretary at Narhat Block, District - Nawada

38. Kishori Prasad, Son of Late Jago Mahto, resident of village + P.O. Kahuara, P.S. Nardiganj, District - Nawada, Superannuated as Panchayat Secretary at Nardiganj Block, District - Nawada

39. Triloki Singh, Son of Late Daho Singh, resident of village - Arian, P.O. Siswa, P.S. Hisua, District - Nawada, Superannuated as Panchayat Secretary at Govindpur Block, District - Nawada

40. Dinesh Kumar, Son of Deo Kumar Singh, resident of village - Arian, P.O. Siswa, P.S. Hisua, District - Nawada at present posted as Panchayat Secretary at Narhat Block, District - Nawada

41. Upendra Yadav, Son of Late Prakash Yadav, resident of village - Uprawan, P.O. Birnawa, P.S. Kashichak, District - Nawada at Present posted as Panchayat Secretary at Nardiganj Block, District - Nawada

42. Sahdeo Prasad Yadav, Son of Prayag Yadav, resident of village - Belkunda, P.O. + P.S. Djamaul, District - Nawada, Superannuated as Panchayat Secretary at Nawada Block, District - Nawada

43. Ramnandan Prasad Singh, Son of Late Brijnandan Singh, resident of village - Kaithir, P.O. Dono, P.S. Hisua, District - Nawada, Superannuated as Panchayat Secretary at Kashichak Block, District - Nawada

44. Sukhdeo Verma, Son of Late Chamari Prasad, resident of village - Upardih, P.O. G.B. Kendu, P.S. Sirdala, District - Nawada at Present posted as Panchayat Secretary at Govindpur Block, District - Nawada

45. Arvind Kumar Singh, Son of Late Kailash Singh, resident of village - Khanapur, P.O. P.S. Warsaliganj, District - Nawada, at present posted as Panchayat Secretary at Nawada Block, District - Nawada

46. Dinanath Prasad, Son of Late Ram Swaroop Prasad, resident of village - Bhagwanpur, P.O. Siswa, P.S. Nawada Mufassil, District - Nawada, Superannuated as Panchayat Secretary at Akbarpur Block, District - Nawada

.... Petitioners

Versus

1. The State of Bihar
2. The Director, Department of Panchayati Raj, Government of Bihar, Patna
3. The District Magistrate, Nawada
4. The District Panchayat Raj Officer, Nawada
5. The District Account officer, Nawada
6. The Block Development officer, Rajauli, District - Nawada
7. The Block Development officer, Kauwa Kole, District - Nawada
8. The Block Development officer, Hisua, District - Nawada
9. The Block Development officer, Warsaliganj, District - Nawada
10. The Block Development officer, Nawada, District - Nawada
11. The Block Development officer, Roh, District - Nawada
12. The Block Development officer, Akbarpur, District - Nawada



13. The Block Development officer, Sirdala, District - Nawada
14. The Block Development officer, Govindpur, District - Nawada
15. The Block Development officer, Pakri Barawan, District - Nawada
16. The Block Development officer, Nardiganj, District - Nawada
17. The Block Development officer, Narhat, District - Nawada
18. The Block Development officer, Kashichak, District - Nawada

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Adv.

For the Respondent/s : Mr. Pratik Kumar Sinha, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 03-03-2017 Heard Mr. Jitendra Kumar Roy, learned counsel
 appearing for the petitioners and Mr. Pratik Kumar Sinha, AC to
 GA-5, for the State.

The petitioners herein pray for an appropriate direction to the District Magistrate, Nawadah (respondent no.3) for grant of ACP/ MACP in Grade Pay of Rs.4200/- in Pay Band of Rs.9300-34800 in terms of the resolution of the Finance Department bearing Memo No. 630 dated 21.1.2010.

The submission of Mr. Roy is that although these petitioners have been working since long but have been kept out of benefits since 1985 and in similar circumstances a Bench of this Court in consideration of similar issue has disposed of the claim in a case arising from C.W.J.C.No. 9451/2013 (Brajesh Kumar v. the State of Bihar & ors.) with an appropriate direction providing relief to the petitioner. Learned counsel submits that although the claim has been raised by the petitioners before the District



Magistrate, Nawadah vide representation dated 16.8.2015 present at Annexure 6 and renewed on 7.6.2016 vide Annexure 7 but has gone asking with no result.

Having heard learned counsel for the parties and considering the grievance raised, I am persuaded to dispose of the writ petition with liberty to the petitioners to file their respective representation before the District Magistrate, Nawadah, espousing their claim afresh together with supportive documents and alongwith a copy of this order and which shall be considered and disposed of in accordance with law by the District Magistrate, Nawadah, bearing in mind the decision relied upon by the petitioners herein passed in the case of Brajesh Kumar (supra), within a period of three months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Jyoti Saran, J)

Surendra/-

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