

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1913 of 2015
IN
Civil Writ Jurisdiction Case No. 1881 of 1998**

=====

Sri Ganesh Ram S/o Late Sri Singhasan Ram, resident of Village- Kandsar, P.O.-
Kandsar, P.S.- Nawanagar, Buxar, Posted as Resrved Inspector Training, Task
Force, Patna.

.... Appellant/s

Versus

1. The State of Bihar.
2. Director General-cum-I.G. Police, Bihar, Patna.
3. Home Commissioner, Government of Bihar, Patna.
4. D.I.G., Administrative, Bihar, Patna.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Suresh Mishra

For the Respondent/s : Mr. Roy Shivajee Nath, AAG 3

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-11-2017

Seeking exception to an order dated 22.06.2015 passed by
the learned Writ Court in CWC No. 1881 of 1998 this appeal has been
filed under Clause 10 of the Letters Patent.

In the matter of claim made by the petitioner for grant of



Senior Selection Grade and Super Time Scale with effect from 1984, the learned Writ Court after evaluating the provisions of the 4th Pay Commission's recommendation and the Circular issued by the State Government has recorded the finding that Junior Selection Grade, Senior Selection Grade and Super Time Scale are to be determined based on the double cadre of a service and the same is done after taking into account the normal promotion prospects already existing in the cadre. After discussing the issue *in extenso* in paragraph-14 the learned Writ Court has concluded the issue in the following manner and rejected the claim of the petitioner:-

“14. The recommendation of Fourth Pay Revision Committee ensures this much that in a cadre of State services, at least 20% should be given Junior Selection Grade, 12.5% Senior Selection Grade and 2.5% Super Time scale, if they fulfill other criteria like seniority and satisfactory service. It is not the case of the petitioner that the post which he was holding was a basic grade post which could be fulfilled by direct recruitment also. The petitioner having been already given higher scales in his cadre by substantive promotion cannot claim the benefits of Selection Grade as envisaged in the recommendation of the Fourth Pay Revision Committee.”

We find no error in the same warranting reconsideration.



The appeal stands dismissed accordingly.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mrl./-

AFR/NAFR	NAFR
CAV DATE	C.A.
Uploading Date	07/11/2017
Transmission Date	N.A.

