IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2264 of 2010

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1. Prem Sharan Sinha , son of Late Alak Niranjan Prasad, resident of Mohalla-Maulabagh, P.O. Arrah, P.S. Nawada Arrah, District-Bhojpur, at present posted as Head Clerk in the Legal Section , Board's Headquarter at Patna
2. Mundrika Singh, son of Late Sheoji Pandey, resident of village-Janpara, P.O. Barah, P.S. Ranitalaw Kanpa, District- Patna retired Head Clerk

.... Petitioner

Versus

1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The Member(Transmission & Generation)-cum- Chairman of the Committee through the Secretary, Bihar State Electricity Board, Patna
6. The Finance Controller-I-cum- Member of the Committee through the Secretary, Bihar State Electricity Board, Patna

.... Respondents

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With

Civil Writ Jurisdiction Case No.4710 of 2010

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Rama Nand Prasad, son of Late Nand Kumar Singh, resident of at and P.O. Chandmari via Danapur Cantt. P.S. Sahpur, District-Patna

.... Petitioner

Versus

1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The Member(Transmission & Generation)-cum- Chairman of the Committee through the Secretary, Bihar State Electricity Board, Patna
6. The Finance Controller-I-cum- Member of the Committee through the Secretary, Bihar State Electricity Board, Patna
7. The General Manager-cum-Chief Engineer, Transmission Zone, Bihar State Electricity Board, Patna
8. The Electrical Executive Engineer , Transmission Division, Bihar State Electricity Board, Khagaul, Patna
9. The Electrical Superintendent Engineer, Transmission Circle, Bihar

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State Electricity Board, Patna

.... Respondents

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With

Civil Writ Jurisdiction Case No.4813 of 2010

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Ram Binod Singh, son of Tawakya Singh, resident of village- Masaurha, P.S. Paliganj, District- Patna, presently residing at P.T.C. Quarter no.7, Electricity Board's Colony , New Punaichak, Patna, presently posted as the Head Clerk, Transmission Zone, Patna

.... Petitioner

Versus

1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The Member(Transmission & Generation)-cum- Chairman of the Committee through the Secretary, Bihar State Electricity Board, Patna
6. The Finance Controller-I-cum- Member of the Committee through the Secretary, Bihar State Electricity Board, Patna
7. The General Manager-cum-Chief Engineer, Transmission Zone, Punaichak, Barrock no.6, Patna, Bihar State Electricity Board, Patna

.... Respondents

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With

Civil Writ Jurisdiction Case No.5061 of 2010

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Shaligram Singh , son of Late Ambika Singh, village- Ghortap, P.S. Behta, District-Patna, presently posted as the Head Clerk, Electrical Superintendent Engineer's Office, Bhojpur, Electrical Circle, Arrah

.... Petitioner

Versus

1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The Electrical Superintendent Engineer, Bhojpur Electrical Circle, Arrah

.... Respondents

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With

Civil Writ Jurisdiction Case No.5076 of 2010

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Umakant Prasad, son of Late Ayodhya Prasad Mahto, village-Madhuchak, P.S. Bind, District- Nalanda, presently posted as the Head Clerk, Electrical Superintendent Engineer's office, Bhojpur Electrical Circle, Arrah

.... Petitioner

Versus

1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The Electrical Superintendent Engineer, Bhojpur Electrical Circle, Arrah

.... Respondents

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With

Civil Writ Jurisdiction Case No.5135 of 2010

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Viswanath Singh, son of Late Fulgen Singh, resident of Mohalla-Bhawanipur Jirat Bank Road, PS. Chatauni, District- East Champaran

.... Petitioner

Versus

1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The General Manager-cum-Chief Engineer, Tirhut Electric Supply Region, Bihar State Electricity Board, Muzaffarpur
6. The Electrical Executive Engineer , Electricity Supply Division, Bihar State Electricity Board, Motihari
7. The Electrical Superintendent Engineer, Electric Supply Circle, Bihar State Electricity Board, Motihari

.... Respondents

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With

Civil Writ Jurisdiction Case No.13613 of 2010

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Abhyuday Prasad Singh , son of Late Ambika Prasad Singh, resident of village, Post and P.S. Sarmera, District-Nalanda, at present residing at Bihar State Electricity Board Colony, Quarter no.PTC/ES, New Punaichak, P.S. Shastrinagar, District & Town, Patna

.... Petitioners

Versus

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1. The Bihar State Electricity Board, through its Chairman, Vidyut Bhawan, Bailey Road, Patna
2. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
3. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
4. The Joint Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
5. The Member (Transmission& Generation)-cum Chairman of the Committee through the Secretary, Bihar State Electricity Board, Patna
6. The General Manager-cum-Chief Engineer, Transmission Zone, Punaichak Barrock No.6, Bihar State Electricity Board, Patna
7. The Deputy Personnel Director, Office of the General Manager-cum-Chief Engineer, Transmission Zone, Punaichak, Barrack no.6, Bihar State Electricity Board, Patna

.... Respondents

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Appearance :

(In CWJC No.2264 of 2010)
For the Petitioner/s : Mr. K.Ravish
For the Respondent/s : Mr. Vinay Kirti Singh
Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

(In CWJC No.4710 of 2010)
For the Petitioner/s : Mr. K.Ravish
For the Respondent/s : Mr. Vinay Kirti Singh
Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

(In CWJC No.4813 of 2010)
For the Petitioner/s : Mr. K.Ravish
For the Respondent/s : Mr. Vinay Kirti Singh
Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

(In CWJC No.5061 of 2010)
For the Petitioner/s : Mr. K.Ravish
For the Respondent/s : Mr. Vinay Kirti Singh
Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

(In CWJC No.5076 of 2010)
For the Petitioner/s : Mr. K.Ravish
For the Respondent/s : Mr. Vinay Kirti Singh
Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

(In CWJC No.5135 of 2010)
For the Petitioner/s : Mr. K.Ravish
For the Respondent/s : Mr. Vinay Kirti Singh
Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

(In CWJC No.13613 of 2010)
For the Petitioner/s : Mr. Kumar Ravish
For the Respondent/s : Mr. Vinay Kirti Singh

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Mr. Vijay Kumar Verma
Mr. Akhileshwar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4 30-03-2017 Since in all the aforesaid writ petitions, similar point was involved, all the aforesaid writ petitions were heard together and are being disposed of by a common order.

Heard Sri Kumar Ravish, learned counsel for the petitioners and Sri Vinay Kirti Singh, learned Standing Counsel, assisted by penal counsels appearing on behalf of Respondent/Bihar State Electricity Board (now known as Bihar State Power Holding Company Ltd.).

In all the aforesaid writ petitions, petitioners have alleged that though they were promoted as Head Clerk, their pay was reduced. In sum and substance, it has been argued that before promotion, the pay, which was being drawn by the petitioners, was higher than their pay after their promotion. By way of filing supplementary affidavit, learned counsel for the petitioners has brought on record number of orders passed by this Court, Jharkhand High Court as well as the Hon'ble Apex Court and he submits that the issue raised in the present writ petition has already been set at rest. He further submits that in compliance with the earlier order passed by this Court, the Respondents have also

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complied the same. Accordingly, it has been prayed that all the aforesaid writ petitions may be disposed of granting liberty to the petitioners to file representations before the competent authority, so that the case of the petitioners may be decided in the light of the orders passed by this Court as well as the Hon'ble Apex Court, which have been brought on record in the supplementary affidavit filed by the petitioners. The submission made by learned counsel for the petitioners was not disputed by Sri Vinay Kirti Singh, learned counsel for the Respondent/Bihar State Electricity Board and he agreed for disposal of aforesaid writ petitions in same terms.

Accordingly, with consent of both the parties, all the aforesaid writ petitions are disposed of granting liberty to the petitioners to file separate representations before the competent authority enclosing therewith relevant documents. If such representations are filed within a period of six weeks from today, the Court expects that the competent authority may take final decision on such representation and grant consequential benefits in accordance with law preferably within a period of three months thereafter.

NKS/-

(Rakesh Kumar, J)

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