

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 8550 of 2016

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1. Bhupesh Kumar, Son of Bulkan Choudhary, Resident of Village- Bishnupur, PS Nagarnausa, District Nalanda.
 2. Babulal Prasad, Son of late Saryu Ram, Resident of Village- Nirpur, P.S. Rohtas, District Rohtas at Sasaram.
 3. Sanjeev Kumar, Son of Sri Hans Kumar, Resident of Shivkunj, Road no. 4, East Indira Nagar, Kankarbagh, PS Kankarbagh District Patna.
 4. Chandra Bilas Prasad Yadav, Son of Sri Deo Lagan Prasad, Resident of DI, Anand Vihar, Anisabad, PS Phulwarisharif, District Patna.
 5. Rajiv Ranjan Kumar, Son of Sri Yogendra Prasad Yadav, Resident of Village- Prithwichak, PO Sahora, Via-Tarapur, PS Tarapur, district Munger.
 6. Praveen Kumar, Son of Mahendra Prasad Singh, Resident of Chankya Nagar, Near R.B.S. Public School, Kumhrar, PS-Kankarbagh, District Patna.
 7. Dinesh Choudhary Son of Sri Srinath Choudhary Resident of Ashok Nagar, Road No. 8, Ram Lakhan Path, Kankarbagh, PS Kankarbagh, District Patna.
 8. Md. Nasimuddin, Son of Md. Nisaruddin Resident of Harun Nagar, Colony, Sector, 1, PS Phulwarisharif, District Patna.
 9. Rakesh Ranjan Pandey Son of Sri Vidya Prasad Pandey SAVitri Vihar, Hanuman Nagar, New Punaichak, PS Shashtrinagar, District Patna.
 10. Vidya Bhushan Kumar Son of Sri Bindeswari Rajak Resident of Vilalge Ichhosh, PS Islampur, District Nalanda.
 11. Ravi Shankar, Son of M.L Roy, Resident of Ashok Nagar Road No. 10, Kankarbagh PS Kankarbagh, District Patna.
 12. Indrajit Kumar, Son of Late Kailash Kumar Sinha Resident of Near Dwarka High School North Mandiri , PS Budha Colony, District Patna.
 13. Praveen Kumar Sinha, Son of Sri Suresh Sinha Village Sarwa PS Barbigha District Sheikhpura.
 14. Om Prakash Tyagi, S/o Sri Kali Charan Das village Nawabganj, PS Surajgarha, District Lakhisarai.
 15. Ashok Kumar, Son of Sri Ram Dayal Bhagat Resident of Village- Sobha Chhapra PS Rivilganj, District Saran at Chapra.
 16. Subhash Kumar Singh, Son of Sri Jagdish Narayan Singh Resident of Village -Hariharpur, PS Pupari District Sitamarhi.
 17. Anjani Kumar, Son of late Ranendra Prasad Singh Resident of



Village -Ramnagar, P.S. Beldour, District Khagaria.

18. Sandeep Kumar Son of Baidynath Tiwary Resident of Village-Rampur Dudhpura, PS Samastipur, District Samastipur.
19. Prafull Chandra Prabhat Son of Sri Triloki Prasad Resident of Village-Barhari, PS Chhabilapur, District Nalanda.
20. Praveen Kumar Singh Son of Sri Nageshwar Singh A/16 Sri Ram Path, New Punaichak, District Patna.

.... Petitioners.

Versus

1. The State of Bihar
2. The Principal Secretary, Finance Department Govt. of Bihar, Patna.
3. The Under Secretary, Finance (Personal Claim Fixation Cell) Department Virchand Patel Marg, Patna.

.... Respondents

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Appearance :

For the Petitioners : Mr. Prabhu Nath Pathak, Adv.

For the Respondents: Mr. Dharendra Kumar, AC to AAG-6.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 23-02-2017

Heard learned counsel for the petitioners and the State.

The petitioners are aggrieved by the Letter No. 15777 dated 07.11.2012 issued by the Principal Secretary, Finance Department, Government of Bihar, as contained in Annexure-5 by which the pay of the petitioners as Assistant Engineer appointed prior to 01.01.2016 has been reduced from Rs. 20280/- to Rs. 17870/- as on 01.01.2016.

The issue is no longer *res integra* as the same stands settled by a Division Bench of this Court vide its judgment dated



28.10.2016 passed in LPA No. 1094 of 2016 and other analogous matters affirming the view taken by a learned Single Judge passed in CWJC No. 12641 of 2013 and CWJC No. 12077 of 2013 by which the impugned order passed by the State authority revising the pay-scale in view of the aforesaid letter issued by the Ministry of Finance, was quashed.

In above view of the matter, this writ petition also stands disposed of in terms of the judgment dated 28.10.2016 passed in L.P.A. No. 1094 of 2016 by the Division Bench of this Court, as contained in Annexure-9 appended with the supplementary affidavit.

As a result, this writ application succeeds and the order of reduction of pay-scale of the petitioners is quashed and set aside. Concerned authorities are directed to restore the pay band and the grade pay of the petitioners which were provided to them earlier.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.05.2017
Transmission Date	NA

