

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5165 of 2009**

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Ramendra Kumar Bhartiya, son of Late Ram Prasad Yadav, resident of village and P.O. Kataiya, P.S. Singheshwar, District – Madhepura,  
At present posted as Assistant, Commissioner Office, Koshi Division, Saharsa, District Saharsa

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Deputy Commissioner of Finance Bihar, Patna
3. The Commissioner – cum- Secretary, Department of Water Resources , Bihar, Patna
4. The Commissioner, Koshi Division, Saharsa

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Counsel  
Mr. Sarvan Kumar

For the Respondent/s : AC to SC No. 14

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

6      12-05-2017                      1. Heard Sri Rajendra Prasad, learned senior counsel, assisted by Mr. Sarvan Kumar , learned counsel for the petitioner and learned AC to SC No. 14.

2. The petitioner, has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to direct the respondents to fix and pay revised pay scale with effect from 1.1.1996 in view of the order passed by a Bench of this Court in CWJC No. 618 of 1990.

3. In this case a counter affidavit was filed on behalf of the respondent no. 4 on 28<sup>th</sup> April 2017 and in the counter affidavit virtually the claim of the petitioner has been admitted, but a plea has been taken that after verification, payment shall be



made. Despite the fact that the writ petition was filed in the year 2009, still after admitting the claim of the petitioner, on one reason or another, petitioner has not been granted the benefit on the plea of verification.

4. In view of the fact that claim of the petitioner has already been admitted by the respondents, the writ petition stands disposed of with a direction to grant all consequential benefits to the petitioner preferably within a period of three months from the date of receipt / production of a copy of this order .

5. The writ petition stands disposed of.

**(Rakesh Kumar, J)**

Praful/-

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