

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16036 of 2014

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Khageshwar Prasad Mehta Son of Late Ramsewak Mehta, Resident of
village- Mahadipur, P.O. Chandan Patti, P.S. Sakara, Distt. Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, null Human Resources Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The District Magistrate, Muzaffarpur
5. The District Education Officer, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Respondent/s : Mr. Krishna Kumar Singh, AC to GP-22

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 06-08-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondents.

2. The grievance of the petitioner in the present writ petition is two-fold. Firstly, the petitioner is aggrieved by inaction on the part of the respondents for non-consideration of his case for grant of super selection grade which is admissible to the petitioner from 22.8.2003 after completing 30 years of service and secondly, his grievance pertains to shifting the date of annual increment from 1.8.1996 to 1.1.1996.

3. Learned counsel for the petitioner submits that junior to the petitioner one Rameshwar Prasad was granted such increment but the petitioner has been discriminated. The petitioner



has superannuated on 31.1.2013. Rameshwar Prasad was granted pay scale and increment with effect from 1.1.1996 but the petitioner, despite senior to him, was granted pay scale and increment from 1.8.1996 and as such the respondents may be directed to take corrective measures.

4. In view of the above, the respondents are hereby directed to examine the matter and take appropriate decision on the claim of the petitioner for grant of super selection grade and also for grant of increment from the date at least junior to the petitioner Rameshwar Prasad has been granted such benefit of pay fixation and increment as senior cannot be made to suffer lower pay fixation and increment ignoring his seniority. The entire exercise in this regard must be completed by the respondents within a maximum period of four months from the date of receipt/production of a copy of this order.

5. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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