

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.557 of 2009

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Md. Mansoor Alam, Son of late Md. Ulfat, Resident of Village Kabirpur, Naya Tola, Badre Alampur, Shahjangi, P.S. Habibpur, Dist. Bhagalpur, presently posted as Pump Khalasi in Water Works under Bhagalpur Municipal Corporation, Dist. Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Secretary-cum-Commissioner, Urban Development Department, Government of Bihar, Bihar, Patna.
3. The Municipal Commissioner, Bhagalpur Municipal Corporation, Bhagalpur.
4. The Engineer and Superintendent, Water Works, Bhagalpur Municipal Corporation, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
Mr. Rajive Ranjan Singh, Adv.
For the State : Mr. Pawan Kumar, AC to GA1
For Bhagalpur Municipal Corporation : Mr. Manish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 10-01-2018

Heard learned counsel for the parties.

In this case, the petitioner is claiming enhancement of scale from the date the junior has been given.

During pendency of this writ application, the scale of the petitioner was enhanced to the scale of Rs. 2650-4000/- but learned counsel for the petitioner submits that he is entitled to this scale from the date his junior has been given. He has submitted that he has been given the benefit from 1.4.2000 whereas his junior, namely, Md. Hussain, who was appointed later on, having been given the scale



from 24.1.1987.

In view of the above, let the petitioner should file a detailed representation before the Municipal Commissioner, Bhagalpur who, in turn, will call for the records and will take a decision in accordance with law.

If the Municipal Commissioner intends to pass an adverse order against the petitioner, he will pass the same but, only after giving proper opportunity of hearing to the petitioner. The Municipal Commissioner must see that the benefit, arising from the office order no. 2269 dated 10.7.2017, be extended to the petitioner without any delay.

All the exercise must be concluded within a period of four months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.01.2018
Transmission Date	NA

