

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1902 of 2015

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1. The Bihar State Desi Chikitsa (Ayush) Mishrak Sangh its Head Office at Rajkiya Ayurvedic College & Hospital, Kadamkuan, Patna through its Mahamantri , namely, Prabhakar Pathak, Son of Late Raja Ram Pathak resident of Mohalla- Lohanipur, P.S. - Kadamkuan, District- Patna.
 2. Prabhakar Pathak Son of Late Raja Ram Pathak resident of Mohalla- Lohanipur, P.S. - Kadamkuan, District- Patna.
 3. Sudhakar Prasad Sharma Son of Sri Shaligram Singh resident of village- Dashin Gaon, P.S.- Wajirganj, District- Gaya.
 4. Manmohan Pandey, Son of Late Ramkrit Pandey resident of village- Deokali, P.S.- Dhanaura, District- Patna .. Petitioners
- Versus
1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
 3. The Director-in-Chief, Health Services, Government of Bihar, Patna.
 4. The Director Ayush, Health Department , Government of Bihar, Patna.
- Respondents
- =====

Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate
For the Respondents : Mr. Jainendra Kr.Sinha, AC to SC 17

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 25-06-2018 The writ petition has originally been filed with prayer that the petitioners, who are Mishrak (Compounder) may be granted the benefits of pay scale of Rs.4500-7000 granted to the compounders in the Central Government, as Pharmacists.

Counter affidavit has been filed by the State specifically denying claim of the petitioners. In the re-joinder, however, counsel for the petitioners has placed on record a Gazette notification dated 8.2.1999 (Annexure 7 of the re-joinder) to show that in light of the said decision the petitioners would be



entitled to the pay scale of Rs.4000-6000.

Claim in this respect has never been raised by the petitioners before the authorities.

Since the issue is for the respondents to decide, this Court grants liberty to the petitioners to raise the claim on the basis of the resolution dated 8.2.1999 (Annexure 7) before the respondent authorities.

The writ petition is disposed of with the aforesaid liberty.

(Madhuresh Prasad, J)

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