

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.597 of 2017

In

Civil Writ Jurisdiction Case No.4208 of 2014

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Gopal Dutt Shukla Son of late Ram Nath Shukla Resident of Village-
Bagoara, P.S. Daroando, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Bihar State Road Transport Corporation through its Administrator,
Pavivahan Bhawan, Birchand Patel Path, Patna.
3. The Chief of Administration , B.S.R.T.C. Parivahan Bhawan, Birchand Patel
Path, Patna.
4. The Chief Accountant Officer Cum Financial Adviser, B.S.R.T.C. Parivahan
Bhawan, Birchand Patel Path, Patna.
5. The Divisional Manager Muzaffarpur Division, B.S.R.T.C. Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Arvind Prasad Singh Advocate
For the Respondent/s	:	Mr. Ajay Kr. Rastogi A.A.G. - 10
For the BSRTC	:	Mr. P. K. Verma Sr. Advocate Mr. Suman Kumar Jha Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 04-05-2018

Heard learned counsel for the appellant, learned counsel
for the respondent-Bihar State Road Transport Corporation, as
well as learned counsel appearing on behalf of the State.

Writ Application of the appellant was dismissed by the
Learned Single Judge.



The basic demand before the Learned Single Judge was that the appellant should be given retirement benefit, keeping in mind the recommendation of the 5th and 6th Pay Revision Commission. Submission of the counsel for the appellant is that since the service conditions of the State had been adopted by the Corporation, therefore, if the recommendation of 5th and 6th Pay Revision was implemented for the State Government employees, the Road Transport Corporation employees must also beget the same.

Admitted position is that the recommendation of the 5th and 6th Pay Revision Commission was never adopted or implemented by the Corporation prior to 1st of December, 2015. No employee had been paid the benefit of the higher pay-scale before that date. The appellant retired before the cut-off date.

In addition to that Learned Single Judge has also taken note of the financial position with regard to the Corporation, which in turn led to passing of an order by the Hon'ble Supreme Court appointing a One-Man-Commission to go into the rehabilitation, especially of the Corporation and Hon'ble Justice Saiyed Sagir Ahmed, former Judge of the Hon'ble Supreme Court went into the entirety of the situation and the entire payments including the



outstanding dues of the employees have been made on the basis of the recommendation of the Learned Judge.

In the above facts and circumstances, there cannot be any direction to extend the benefit of 5th and 6th Pay Revision individually to a former employee.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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