

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.929 of 2015**

=====

Aldeep Prasad Son of Late Madan Mandal Resident of Village + P.O. - Sadwara,  
P.S. - Kansi Simri, District - Darbhanga, presently residing at PHED Colony,  
Purnea, P.S. - Purnea, District - Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Principal Secretary Department of Finance, Govt. of Bihar, Patna.
4. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
5. The Engineer in Chief, P.H.E.D., Govt. of Bihar, Secretariat Bihar, Patna.
6. The Chief Engineer (Mechanical), P.H.E.D. Govt. of Bihar, Patna.
7. The Superintending Engineer Public Health Engineering Circle - Purnea.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Siyaram Pandey, Advocate  
For the Respondent/s : Mr. Ranjan Kumar AC to GA 12

=====

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL JUDGMENT**

**Date:** 25-04-2018

It is submitted by the learned counsel for the petitioner in presence of counsel for the State that admissibility of the petitioner's pay scale of Rs. 4000-6000/- at the time of his initial appointment in light of notification of the Finance Department dated 25.03.2015 has been settled by order dated 24.08.2016 passed in LPA No. 206 of 2014. He submits that in light of the same, benefits have been granted to all others. Since the petitioner's appointment on compassionate ground is also after 20.12.2000, he submits that he is also entitled to



similar benefits in light of the law declared by the Division Bench in the above noted LPA No. 206 of 2014.

Let the respondent no. 6 consider the petitioner's claim with reference to the law laid down by the Division Bench in the LPA noted herein above and grant the benefits in terms thereof to the petitioner.

Such exercise must be completed within a period of eight weeks from the date of receipt/production of a copy of this order. The petitioner would be at liberty to supplement his claim by filing a comprehensive representation in light of the order passed by the Division Bench. The same shall be decided by the respondent no. 6 in light of the judgment of the Division Bench noted herein above. The order dated 23.12.2014 impugned in the instant writ petition shall not stand in the way of the respondent no. 6 in considering the petitioner's claim in light of the order passed by the Division Bench. Let the claim of the petitioner be disposed off by a reasoned and speaking order in accordance with law within the time framed noted hereinabove.

The writ petition is disposed off.

**(Madhuresh Prasad, J)**

Prakash/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          |            |
| CAV DATE          |            |
| Uploading Date    | 27.08.2018 |
| Transmission Date |            |

