

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3353 of 2018

- =====
1. Rajesh Kumar, Son of Late Gopi Krishna Mandal, Resident of Village- Arazpur, P.S.- Chausa, District- Madhubani.
 2. Sanjay Kumar Singh, Son of Late Deoki Prasad Singh, Resident of Village- Babanganj, P.S.- Korha, District- Katihar.
 3. Arun Kumar, Son of Late Bishwanath Sah, Resident of Village- Rajghat, P.S.- Barharakothi, District- Purnea.
 4. Pankaj Kumar Ray, Son of Late Bindu Ray, Resident of Purnea City, P.S.- Sadar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Personel and Administrative Reforms, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Purnea.
5. The Secretary Compassionate appointment Committee, Purnea.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Respondent/s : Mr. Kameshwar Kumar -GP17
Mr. Arvind Kumar, AC to GP-17

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioners and counsel
appearing for the State.

The grievance of the petitioners in this case is arbitrary action of the respondents in lowering the pay scale notwithstanding the fact that the post of lower divisional and upper divisional merged and designated as Assistant after merger of lower and upper division clerk and after merger treating them as



lower division and upper division was held to be arbitrary by the LPA court in LPA No. 167 of 2016 vide judgment dated 23-06-2017 as contained in Annexure-6.

Considering the submissions advanced on behalf of the petitioner that the case of the petitioner is covered by Annexure-6 i.e. judgment dated 23-06-2017 passed in LPA No. 167 of 2016, this writ application is disposed of with direction to the respondent Nos. 3 & 4 to consider the case of the petitioner in the light of judgment dated 23-06-2017 passed in LPA No. 167 of 2016 and in case, respondents find that case of the petitioner is covered by judgment dated 23-06-2017 passed in LPA No. 167 of 2016, similar benefit should be extended to these petitioners also within a maximum period of three months from the date of receipt/production of copy of the order.

With the aforesaid observation, this writ application is disposed of.

(Anil Kumar Upadhyay, J)

A.K.V./-

U			
---	--	--	--

