

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2011 of 2018

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Ramesh Mahtha, son of Late Narsingh Mahtha, Resident of Village- Kulhariya,
Police Station - Babubarhi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Primary Education.
2. The Principal Secretary, Department of Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Magistrate, Madhubani.
4. The District Programme Officer, Madhubani.
5. The Block Education Officer, Khutauna, Madhubani.
6. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s : Mr. Madanjit Kumar, GP-20
For AG, Bihar : Mr. Satyendra Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 11-05-2018

Heard learned counsel for the petitioner and State.

2. Learned counsel for the petitioner submits that the petitioner is entitled to the pay scale available to the teachers under 6th Pay Revision Recommendation, which is effective from 01.01.2006. He submits that the petitioner has retired on 30.04.2008 and as such the petitioner is entitled to revision of pay scale under 6th Pay Revision Recommendation and payment of the same.

3. Learned counsel for the State was earlier granted time to file counter affidavit vide order dated 23.03.2018, but no counter affidavit has been filed.



4. Considering the nature of controversy involved in the present writ application and the contention of the petitioner that similarly circumstanced others have been granted the benefit of 6th Pay Revision and they were granted the pay scale of Rs. 9300-34800 with Grade Pay of Rs.5400/- and also in view of the fact that no counter affidavit has been filed, the writ application is disposed of with a direction to the respondents to examine the claim of the petitioner and if it is found that similarly circumstanced others have been granted the pay scale of Rs. 9300-34800 with Grade Pay of Rs.5400/-, the respondents are obliged to grant similar pay scale to the petitioner. Final decision in this regard must be taken by the respondent within a period of 60 days from the date of receipt/production of a copy of this order and consequential benefits must be extended to the petitioner within a further period of one month from the date of such decision.

5. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2018
Transmission Date	

