

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.291 of 2019

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Bhavanath Jha S/o late Kamal Nath Jha R/ 0 Village - Koilakh, P.S. -
Rajnagar, District - Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms Department. Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Addl, Secretary, Finance Department, Govt. of Bihar, Patna.
5. The Joint Director, Krishi Ganna Department, Govt. of Bihar, Patna.
6. The District Magistrate, Madhubani.
7. The District Magistrate, Madhepura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Respondent/s : Mr.Raj Kishore Roy -Gp18

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 27-06-2019 Counsel for the petitioner is permitted to implead the

the District Magistrate, Madhepura as respondent no.7 to writ

petition in course of the day.

Heard counsel for the petitioner and counsel for the

respondents-State.

Petitioner's claim in this proceedings is for grant of

grade pay Rs 4800/- under benefit of MACP. He submits that

instead of grade pay Rs 4800/-, he has wrongly been granted

grade pay Rs 4600/-. Petitioner has based his claim on the

Finance department communication dated 17.02.2014. He



submits that others who were also revenue clerks and similarly situated as that of the petitioner namely, Shailesh Kumar Srivastav and Awadesh Kumar Singh have been granted grade pay Rs 4800/- as such petitioner is also entitled for the same. In respect of his claim, he has submitted representation before the District Magistrate, Madhepura on 12.12.2017. Same is annexure 10 to writ petition. He submits that no final decision is taken by the District Magistrate and therefore, petitioner is suffering consequence of grant of less pensionary benefit on the basis of lower pay scale than what he is entitled to.

Since entitlement of the petitioner and grant of grade pay Rs 4800/- has to be considered by the District Magistrate, Madhepura, pendency of instant proceedings would be futile.

Writ petition is accordingly, disposed of with direction to the District Magistrate, Madhepura (respondent no.7) to take final decision on the claim of the petitioner within the period of three months from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

s.hassan/-

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