

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3393 of 2019

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Dr. Vikash Kumar Raj S/o Brajnandan Prasad Resident of Sardar Patel Colony, sandalpur road, Mahendru, P.s.-Sultanganj, Distt.-Patna. Presently posted as senior Medical Officer National Institute of Technology, Patna, Ashok Raj Path Patna

... .. Petitioner/s

Versus

1. The Secretary, Ministry of Human Resources Department, Government of India, New Delhi
2. The Joint Secretary Ministry of Human Resources Department, Govt. of India, New Delhi
3. The Board of Governors through the Chairman National Institute of Technology, Patna
4. The Chairman National Institute of Technology, Patna
5. The Director National Institute of Technology, Patna
6. The Registrar-cum-Member Secretary Board of Governors, National Institute of Technology, Patna

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Dharendra Kumar, Advocate.
For the Respondents : Ms. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 22-02-2019

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. The petitioner has approached this Court for the following reliefs:

(i) For direction to respondent authority to grant financial up gradation from Pay Band PB 3 Grade pay Rs. 7600/- to PB 4 Grade Pay Rs. 8700/- in terms of dynamic ACP as recommended by Ministry of Health & Family Welfare Government of India as adopted by other NITs of India, to the petitioner.



(ii) For direction to the respondents to give the financial benefit of up gradation, w.e.f. October 2017 the date from which the petitioner is entitled to such up gradation.

(iii) For any other relief, relief's for which the petitioner may be found entitled.

3. It has been submitted on behalf of the petitioner that employees of all other NITs in the country have extended the benefit of the upgradation of Pay Band and scale of pay but for no explicable reason, the same is being withheld from the employees of the NIT, Patna.

4. Learned counsel for the petitioner submits that the petitioner would be satisfied if he is permitted to make a representation before the Director, NIT, Patna within a period of four weeks from today, detailing his grievances and citing reasons why the relief prayed by him before this Court be not allowed, which representation shall be disposed of by the concerned respondent viz. the Director, National Institute of Technology, Patna within a further period of six weeks thereafter, preferably by a reasoned order in accordance with law.

5. If the claim of the petitioner is found to be tenable, needless to say that necessary sequel order shall also be passed within the aforesaid period.



6. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.02.2019
Transmission Date	

