

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11257 of 2015**

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1. Braj Bhushan Prasad Singh and Ors S/o- Late Raghav Prasad Singh, Resident of village- Mahmada, P.O- Mahmada, District- Samastipur.
  2. Vikash Kumar, S/o- late Mukund Ram, Resident of Quarter No. E-62, R.A.U, Campus, Pusa, P.O- Pusa, District- Samastipur.
  3. Narendra Kumar, S/o- late Naval Kishore Prasad, Resident of Village- Sasta Madhopur, P.O- Sasta Madhopur, District- Muzaffarpur.
  4. Arun Kumar, S/o- late Chandeshwar Thakur, Resident of village-Muraul, P.O- Muraul, District- Muzaffarpur.
  5. Binod Kumar Rai, S/o- Shri Rati Lal Rai, Resident of village- Harpur Pusa, P.O.- Pusa, District- Samastipur.
  6. Mani Bhushan Chaudhary, S/o- Dinkar Chaudhary, Resident of village- Baidyananathpur, P.O- Baidyananthpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Agriculture Production Commissioner, Department of Agriculture, Bihar, Patna
2. The Agriculture Production Commissioner, Department of Agriculture, Bihar, Patna.
3. The Vice Chancellor, Rajendra Agriculture University, Pusa, Samastipur.
4. The Director Administration, Rajendra Agriculture University, Pusa, Samastipur.
5. The Registrar, Rajendra Agriculture University, Pusa, Samastipur.
6. The Comptroller, Rajendra Agriculture University, Pusa, Samastipur.

... .. Respondent/s

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**Appearance :**

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|--------------------------|---|---------------------------|
| For the Petitioner/s     | : | Mr.Sanjay Kumar Giri      |
|                          | : | Mr. Pratyush Pratap Singh |
| For the Respondent/s     | : | Mr.Sc11- Ashok Kumar      |
| For Rajendra Pd. Central |   |                           |
| Agricultural Univesity   | : | Mr. D.K. Sinha            |
|                          | : | Mr. Arvind Ujjwal         |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL JUDGMENT**

**Date : 05-03-2019**

**Re : I.A. no. 729 of 2017**

The present interlocutory application has been filed  
for impleading the respondents who have now become relevant



for the purposes of the petitioners, since the respondent- Rajendra Agricultural University, Pusa, Samastipur has now been converted into Dr. Rajendra Prasad, Central Agriculture University, Bihar, Pusa (Samastipur).

I.A. no. 729 of 2017 is allowed and the registry is directed to add the respondents mentioned in paragraph no. 2 of the present interlocutory application as respondents no. 7 to 9 to the main writ petition.

**Re : C.W.J.C. no. 11257 of 2015**

1. The present writ petition has been filed for directing the respondents to grant pay scale of Rs. 3200-4900 to the petitioners herein, similar to that being paid to the Lab Assistants as also grant pay scale of Rs. 5200-20200 with grade pay of Rs. 2000/- in light of the fact that the duties and working profile of the Sample Collectors are similar to that of the Lab Assistants.

2. The learned counsel for the petitioners has submitted that this Hon'ble Court vide judgment ***dated 30.07.2010*** passed in ***C.W.J.C. no. 4469 of 2007*** had directed the respondent- University to take a decision with regard to the similarity of the post of Sample Collector and that of the Lab Assistant and in case, it is found that the nature of duty and job



requirements of the said two posts are similar, similar benefits were directed to be given.

3. It has further been pointed out by the learned counsel for the petitioners that the Bihar Agriculture University, Sabour, Bhagalpur, in pursuance to the aforesaid judgment of this Court ***dated 30.07.2010*** had examined the matter and had found that the duties and the job requirements of the post of Lab Assistant and Sample Collector are same and similar, hence similar pay scales were directed to be given vide order dated 15.09.2014 passed by the Director, Administration, Bihar Agricultural University, Sabour (Bhagalpur). Therefore, in nutshell, the submission of the learned counsel for the petitioners is that the petitioners, being similarly situated, are also entitled to the pay scale of Lab Assistants.

4. *Per contra*, the learned counsel for the respondents submits that the respondents would be examining the case of the petitioners in light of the aforesaid judgment ***dated 30.07.2010*** as also the order dated 15.09.2014 passed by the Director, Administration, Bihar Agricultural University, Sabour (Bhagalpur) and would take a decision within a period of eight weeks from today with regard to grant of pay scale to the petitioners who are Sample Collectors, equivalent to that of the



Lab Assistants.

5. Having regard to the facts and circumstances of the case, the present writ petition is disposed of with a direction to the Vice-Chancellor, Central Agriculture University, Bihar, Pusa (Samastipur) to decide the case of the petitioners for grant of pay equivalent to that of the Lab Assistants in light of the discussions made hereinabove, by a reasoned and a speaking order, within a period of eight weeks from today and in case favourable order is passed, consequential benefits would also be granted within a period of eight weeks thereupon.

**(Mohit Kumar Shah, J)**

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| AFR/NAFR          | NAFR       |
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