

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2150 of 2016

1. Dharmendra Kumar Singh, son of Late Govind Prasad Singh, Resident of Village and P.O. Garh Baruari, P.S. Supaul, District- Supaul, presently working as Accounts Clerk in the Office of Executive Engineer, Investigation and Research Division, Water Resources Department, Birpur, District- Supaul.
2. Sanjay Kumar, son of Late Raghunandan Prasad, Resident of Village- Lahasi Bigha, P.O. Bisai, P.S. Ekangarsarai, District Nalanda at Biharsharif, presently working as Accounts Clerk in the office of Executive Engineer, Punpun Flood Protection Division, Water Resources Department, Patna City, Camp- Karbigahiya, Patna, District- Patna.
3. Subodh Kumar Sinha, son of Late Krishnanandan Prasad, Resident of Village- Deyar, P.O. and P.S. Nawada, District- Nawada, Presently working as Accounts Clerk in the office of Executive Engineer, Water Ways Division, Water Resources Department, Ekangarsarai, District- Nalanda.
4. Anurag Ranjan, son of Late Anil Ranjan Prasad, Resident of Mohalla- West Patel Nagar, P.O. and P.S. Shastri Nagar, District- Patna, presently working as Accounts Clerk in the office of Executive Engineer, Irrigation Electrical-cum-Mechanical Division, Water Resources Department, Camp- Karbigahiya, Patna, District- Patna.
5. Sudhir Kumar Gai, son of Late Jagat Narayan Prasad, Resident of Mohalla- Sonarpatti, Ward No.13, P.O. and P.S. Lalganj, District- Vaishali at Hajipur, presently working as Accounts Clerk in the office of Executive Engineer, Field Machinery Division, Water Resources Department, Digha, Camp- Karbigahiya, Patna, District- Patna.
6. Ashok Kumar, son of Late Awadh Singh, Resident of JAnta Flat No.67, Housing Board, P.O. and P.S. Gaya, District- Board, Presently working as Accounts Clerk in the office of Executive Engineer, Irrigation Mechanical Division, Water Resources Department, Gaya, District- Gaya.
7. Brajesh Kumar, son of Late Yugal Kishore Lal Das, Resident of Village and P.O. Balua Bazar, P.S. Birpur, District- Supaul, presently working as Accounts Clerk in the office of Executive Engineer, Field Machinery Division, Water Resources Department, Bhagalpur, District- Bhagalpur.
8. Sanjeev Lal Das, son of Late Bhola Lal Das Resident of Village- Dahaura, Tola- Bailya, P.O. Baliya, P.S. Manigachhi, District- Darbhanga, presently working as Accounts Clerk in the office of Executive Engineer, Western Embankment Division, Water Resources Department, Nirmali, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Finance Secretary, Department of Finance, Government of Bihar, Patna.
3. The Secretary Expenditure, Department of Finance, Government of Bihar, Patna.



4. The Principal Secretary, Water Resource Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water Resources Department, G
6. The Chief Engineer, Birpur Water Resources Department, Government of Bihar, Patna.
7. The Chief Engineer, Anishabad Patna, Water Resources Department, Government of Bihar, Patna.
8. The Chief Engineer, (Mechanical), Water Resources Department, Government of Bihar, Patna.
9. The Executive Engineer, Investigation and Research Division, Water Resources Department, Birpur.
10. The Executive Engineer, Punpun Flood Protection Division, Water Resources Department, Patna City, City, Camp – Karbigahiya, Patna
11. The Executive Engineer, Water Ways Division, Water Resources Department, Ekangarsarai, Nalanda.
12. The Executive Engineer, Irrigation Electrical-cum-Mechanical Division, Water Resources Department,
13. The Executive Engineer, Field Machinery Division, Water Resources Department, Digha, Camp- Karbigah
14. The Executive Engineer, Irrigation Mechanical Division, Water Resources Department, Gaya.
15. The Executive Engineer, Field Machinery Division, Water Resources Department, Bhagalpur.
16. The Executive Engineer, Western Embankment Division, Water Resources Department, Nirmali, Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms Anita Kumari
For the Respondent/s : Mr.Md. Raisul Haque

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

10 09-05-2019

After detailed arguments of the matter, learned counsel for the petitioners has submitted that the petitioners assert their claim for being treated as Upper Division Clerk and granted the pay scale accordingly in light of the Government decision contained in Annexure 2 that is the letter dated



20.12.2000 issued by the Finance Department. It is their claim that having been appointed in between 28.09.1999 and 20.12.2000, the petitioners, being appointed before the actual date of demerger, are entitled to be treated as Senior Accounts Clerk in the pay scale of Rs 4,500/- to Rs 7,000/-. It is submitted that they would assert their claim before respondent No 2 by citing example of others, similarly situated as the petitioners and who were appointed in the same period as the petitioners.

If such claim is made before respondent No 2 within a period of eight weeks from today, the same should be considered and decided by respondent No 2 within a period of three months thereafter.

Writ petition is disposed of with the aforesaid directions.

(Madhuresh Prasad, J)

M.E.H./-

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