

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14363 of 2019

=====

Chandu Ram S/o Late Meharachandra Ram Retired Senior Typist, Resident of Village and P.O.-Ganipur Bigha, Via-Sakra, District-Muzaffarpur, presently residing at Pokhariapeer Road, Atardah, Anand Vihar Colony, Ganipur, Post-Ramana, Muzaffarpur, Pin-842002

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Water Resources Department, Government of Bihar, Patna
3. The Secretariat Finance (Expenditure), Government of Bihar, Patna
4. The Chief Engineer Flood Control and Drainage, Water Resources Department, Government of Bihar, Patna
5. The Executive Engineer Drainage Division, Muzaffarpur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Manisha Singh
For the Respondent/s : Mr. Vikash Kumar (Sc11)

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-07-2019 Heard the learned counsel for the petitioner and the State.

The petitioner, who was appointed as a Typist on 12.06.1981, was made permanent in the year 1994. After serving for several years in the Water Resources Department, the petitioner superannuated from the office of the Executive Engineer, Drainage Division, Muzaffarpur on 21.09.2014.

It has been submitted on behalf of the petitioner



that by a government decision dated 25.03.2015, the scale of Rs. 4500-7000/- was made available to the Accounts Clerk / Junior Accounts Clerk and the same pay-scale has been given to the Correspondence Clerk as well.

Considering the aforesaid government decision, the pay-scale of the petitioner was also revised but the actual payment has not been made.

The case of the petitioner is squarely covered by the judgement delivered by the Court in the case of Binit Kumar and Others Versus State of Bihar and Others, passed in C.W.J.C. No. 9921 of 2017, which has been affirmed by a Division Bench of this Court in L.P.A. No. 1702 of 2017.

There is no cloud over the entitlement of the petitioner for being paid the pay-scale of Rs. 4500-7000/-. There is no reason why the benefit of the aforesaid decision of the government and of the judgement of this Court be not made available to the petitioner.

The petitioner, under the aforesaid circumstances, is directed to make a representation before the Executive Engineer, Drainage Division, Muzaffarpur (Respondent No.



5) within a period of two weeks, who, on receipt of such representation, shall, in the light of the orders passed by this Court and the government's resolution, pass a reasoned order in accordance with law, within a further period of four weeks thereafter. If the claim of the petitioner is found to be tenable and exactly similar to the case of the petitioners in the aforementioned cases, necessary sequel order shall also be passed within the aforesaid period.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

