

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19232 of 2019

1. Kailash Ram Son of Shyam Lal Resident of Mohalla- Gardanibagh Back Harding Road, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
2. Kedar Shah Son of Darbari Shah Resident of Mohalla- Kedawaipuri I.A.S. Colony, Quarter No. 14, P.O.- G.P.O., P.S.- Kotwali, District- Patna.
3. Jawahar Son of Late Ram Ishwar Resident of Mohalla- Yarpur Domkhana, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
4. Most. Soni Devi Wife of Late Ram Ishwar Resident of Mohalla- Yarpur Domkhana, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
5. Ashok Ram Son of Late Swami Ram Resident of Mohalla- R-Block Harding Road, P.O.- G.P.O., P.S.- Schivalaya, Patna, District- Patna.
6. Raju Kumar Son of Late Pramodh Kumar Resident of Mohalla- Bhawar Pokhar, P.O.- Bankipur, P.S.- Pirbahor, District- Patna.
7. Sanichari Wife of Late Aganu Resident of Mohalla- Bhawar Pokhar, P.O.- Bankipur, P.S.- Pirbahor, District- Patna.
8. Malti Daughter of Soni Rai Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
9. Sanjay Ram Son of Late Devendra Resident of Mohalla- Yarpur, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
10. Kalawati Wife of Late Durga Resident of Mohalla- Yarpur, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
11. Kumari Panawa Daughter of Late Soniya Resident of Mohalla- Mangal Talab, P.O.- Jhowganj, P.S.- Mehadiganj, District- Patna.
12. Sukhari Son of Late Jhakhari Resident of Mohalla- Bhawar Pokhar, P.O.- Bankipur, P.S.- Pirbahor, District- Patna.
13. Most. Jarina Khatoon Wife of Late Nabbudin Resident of Mohalla- Nabab Sah Road, Patna city, P.S.- Alamganj, District- Patna.
14. Rajpati Devi Wife of Late Sukhlal Resident of Mohalla- Sandalpur, P.S.- Sultanganj, District- Patna.
15. Sunder Patiya Wife of Late Kallu Resident of Mohalla, P.O.- and P.S.- Sultanganj, District- Patna.
16. Rajendra Son of Late Ram Khelawan Resident of Mohalla- Gardanibagh Garikhana, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
17. Maimoon Khatoon Wife of Late Md. Salim Resident of Mohalla- Durukhigal, Mugalpura, P.O.- Jhauganj, P.S.- Khajakala, District- Patna.
18. Uday Kumar Singh Son of Late Nageshwar Singh Resident of Mohalla- Bahadurpur, P.S.- Sultanganj, District- Patna.
19. Most. Domani Devi Wife of Late Ram Jatan Resident of Mohalla- Brahampur Road, P.O.- Phulwari, P.S.- Phulwari, District- Patna.
20. Vina Devi Wife of Late Chhotelal Resident of Mohalla- Beur Baichak, P.O. and P.S.- Beur, District- Patna.



21. Most. Tammana Devi Wife of Late Mohan Resident of Mohalla- Purvi Lohanipur, P.S.- Kadamkuan, District- Patna.
22. Phool Kumari Devi Wife of Late Singha Resident of Mohalla- Bhawar Pokhar, P.O.- Bankipur, P.S.- Pirbahore, District- Patna.
23. Jaimoon Nisha Wife of Late Alia Resident of Mohalla- Bhawar Pokhar, P.O.- Bankipur, P.S.- Pirbahore, District- Patna.
24. Most. Sona Devi Wife of Late Shambhu Ram Resident of Mohalla- Ahiyana Road, Digha, P.S.- Patliputra, District- Patna.
25. Badri Son of Late Shankar Raut Resident of Mohalla- Lohakepool, P.S.- Mehadiganj, District- Patna.
26. Radha Wife of Late Vijay Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
27. Surshatiya Daughter of Late Subedar Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
28. Shanti Devi Wife of Late Ram Vilash Ram Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
29. Sagar Son of Late Lobhi Resident of Mohalla- Yarpur, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
30. Bindeshwar Son of Late Govind Resident of Mohalla- Ram Nagar Devi Asthan, Bangali Tola, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna.
31. Shankar Son of Late Damari Resident of Mohalla and P.S.- Phulwarisharif, District- Patna.
32. Bali Ram Prasad Singh Son of Late Jai Bihari Singh Resident of Mohalla- Pipara Singhwara, P.S.- Sionghwara, District- Darbhanga (Bihar).
33. Dina Das Son of Late Mangal Das Resident of Mohalla- Chowk Shikarpur, P.O.- Begumpur, P.S.- Jahugani, District- Patna.
34. Rajwanti Son of Late Bishwnath Ram Resident of Mohalla- DVC Chowk, Jakkanpur, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna.
35. Munna Son of Late Sitaram Resident of Mohalla- Yarpur, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
36. Saheb Son of Late Balkhira Resident of Mohalla- Yarpur, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
37. Kummuni Devi Wife of Late Bijali Resident of Mohalla- Yarpur, Domkhana, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
38. Ram Pukar Thakur Son of Late Mathura Thakur Resident of Mohalla- Mahabir Colony, P.O.- Anishabad, P.S.- Beur, District- Patna.
39. Most Rekha Devi Wife of Late Dipak Kumar Resident of Mohalla- Kaushlya Nagar, Apolo Road, P.O.- Anishabad, P.S.- Hawai Adda, District- Patna.
40. Uma Devi Wife of Late Radhe Thakur Resident of Mohalla- R-Block, Road No. 10, P.O.- G.P.O., P.S.- Sachivalaya, District- Patna.
41. Devanti Devi Wife of Late Yugeswar Resident of Mohalla- Chitkohara Bishnupuri, P.O.- Anishabad, P.S.- Gardanibagh, District- Patna.



42. Satya Narayan Paswan Son of Late Ram Parichan Paswan Resident of Mohalla- Apolo Road, Kaushal Nagar, P.O.- Anishabad, P.S.- Hawaii Adda, District- Patna.
43. Ram Shankar Ram Son of Late Baleshwar Resident of Mohalla- Adalatganj, Amar Nath Road, P.O.- G.P.O., P.S.- Kotwali, District- Patna.
44. Chandrika Das Son of Late Harihar Das Resident of Mohalla- Naya Tola, Phuwarisarif,, District- Patna.
45. Md. Rafik Son of Late Makduman Miya Resident of Mohalla- Naya Tola Phulwarisharif, District- Patna.
46. Jagiya Wife of Late Kailash Resident of Mohalla- Dhobi Tola, P.S.- Buddha Colony, District- Patna.
47. Anita Wife of Late Jodhan Resident of Mohalla- Mangal Talab Chowk, Patna, District- Patna.
48. Jankiya Daughter of Late Shiv Nandan Resident of Mohalla- Bhawar Pokhar, P.O.- Bankipur, P.S.- Pirbahore, District- Patna.
49. Uma Wife of Late Mahabir Resident of Mohalla- Sandalpur, P.S.- Sultanganj, District- Patna.
50. Ishwar Mahto Son of Late Sri Kishun Mahto Resident of Mohalla- Shashtri Nagar, P.S.- Shashtri Nagar, District- Patna.
51. Urmila Wife of Late Dasrath Resident of Mohalla- Yarpur, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
52. Urmila Wife of Late Kedar Resident of Mohalla- Lohanipur, P.S.- Kadamkuan, District- Patna.
53. Satendra Ram Son of Late Imali Resident of Mohalla- South Mandiri, P.O.- G.P.O., P.S.- Budha Colony, District- Patna.
54. Sabita Wife of Late Ram Lal Resident of Mohalla- Kathpool, Mandiri, P.O.- G.P.O., P.S.- Budha Colony, District- Patna.
55. Pirthivi Wife of Late Durga Rajak Resident of Mohalla- New Alkapuri Road No. 9, P.O.- Anisabad, P.S.- Gardanibagh, District- Patna.
56. Mahendra Son of Late Mauji Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
57. Chaiti Devi Wife of Late Jwohar Resident of Mohalla- Kankarbagh Tempoo Stand, P.O. and P.S.- Kankarbagh, District- Patna.
58. Asha Daughter of Late Jadu Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
59. Chidanand Yadav Son of Late Ram Narayan Yadav Resident of Mohalla- Mithapur, B Area, P.S.- Jakkanpur, District- Patna.
60. Amar Ram Son of Late Anandiya Resident of Mohalla- R- Block, P.O.- G.P.O., P.S.- Sachivalaya, District- Patna.
61. Kishor Kumar Ram Son of Late Bullet Ram Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
62. Maniya Daughter of Late Uma Resident of Mohalla- Kath ke Pool, P.S.- District- Patna.



63. Bajranji Son of Late Ram Prasad Resident of Mohalla- Nala Road, Ambedkar Colony, P.S.- Kadamkuan, District- Patna.
64. Laxmi Son of Late Sita Resident of Mohalla- Saidpur Nahar, P.S.- Kadamkuan, District- Patna.
65. Most. Ramrati Devi Wife of Late Jawahar Mahto Resident of Mohalla- Phulwarisarif Thana Road, P.O.- and P.S.- Phulwarisarif, District- Patna.
66. Most. Parmila Devi Wife of Late Raju Resident of Mohalla- Ambedkar Colony Saidpur P.S.- Bhagwanganj, District- Patna.
67. Sunil Kumar Tiwari Son of Late Tapsi Tiwari Resident of Mohalla- Anishabad, P.S.- Gardanibagh, District- Patna.
68. Hardayal Son of Late Lakhan Resident of Mohalla- Sheikhpura More, P.S.- Shastrinagar, District- Patna.
69. Maksud Mian Son of Late Maksul Mian Resident of Mohalla- and P.S.- Phulwarisarif, District- Patna.
70. Lalita Devi Wife of Late Ramanandan Singh Resident of Mohalla- K.P. Sarkar Road, Mithapur, P.S.- Jakkanpur, District- Patna.
71. Rampyare Son of Late Jhangur Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
72. Gauri Devi Wife of Late Ravi Kanti Resident of Mohalla- Dhelma, P.S.- Kankarbagh, District- Patna.
73. Gomia Wife of Late Rudo Das Resident of Mohalla- Sadalpur, Ambedkar Colony, P.S.- Sultanganj, District- Patna.
74. Dhanwa Wife of Late Ramchandrar Resident of Mohalla- Sadalpur, Ambedkar Colony, P.S.- Sultanganj, District- Patna.
75. Duliya Wife of Late Ghuran Resident of Mohalla- Sadalpur, Ambedkar Colony, P.S.- Sultanganj, District- Patna.
76. Mohan Son of Late Mangal Resident of Mohalla- Rajputana Gali, Patna, P.S.- Alamganj, District- Patna.
77. Harendra Son of Late Bouna Resident of Mohalla- Nala Road, P.O. and P.S.- Kadamkuan, District- Patna.
78. Lila Devi D/o of Late Ramdhari Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- GPO, P.S.- Gardanibagh, District- Patna.
79. Kundan Kumar Son of Late Birju Resident of Mohalla- Nala Road, Ambedkar Colony, P.O. and P.S.- Kadamkuan, District- Patna.
80. Munna Son of Late Sugi Resident of Mohalla- Mina Bazar, P.S.- Alamganj, District- Patna.
81. Sumeda Devi Wife of Late Nandawa Resident of Mohalla- Komasitan, P.O.- Jhauganj, P.S.- Chawk, Patna City, District- Patna.
82. Siya Ram Paswan Son of Late Mahadeo Paswan Resident of Mohalla and P.S.- Gardanibagh, District- Patna.
83. Sikandar Mahto Son of Late Bindu Mahto Resident of Mohalla- Chaile Tad P.O. Guljarbag, P.S.- Alamganj, District- Patna.
84. Kishun Sao Son of Late Bishun Sao Resident of Mohalla- Naya Goun, P.O.-



Guljarbagh, P.S.- Alamganj, District- Patna.

85. Shambhu Son of Late Lakhichand Resident of Mohalla- Murad Road, Patna City, Mushari, District- Patna.
86. Ajit Kumar Son of Late Ram Naumi Resident of Mohalla- Bhabar Pokhar, P.O.- Bankipur, P.S.- Pirbahore, District- Patna.
87. Most/ Phulwa Wife of Late Ram Bilash Manjhi Resident of Mohalla- Sheikhpura Kapsi Bhawan, P.S.- Sashttrinagar, District- Patna.
88. Vishwnath Son of Late Gulgar Resident of Mohalla- Mehdiganj, P.S.- K Nichai, District- Patna.
89. Raju Das Son of Late Ganpat Das Resident of Mohalla- Sheikhpura Bind, P.O.- Vetnari College, P.S.- Sashtri Nagar, District- Patna.
90. Rampravesh Manjhi Son of Late Mohan Resident of Mohalla- Beur Jail ke Pichai, P.O.- Anishabad, P.S.- Beur, District- Patna.
91. Ram Narayan Paswan Son of Late Judagi Paswan Resident of Mohalla- Suichak, Bhatha par, P.O. and P.S.- Beur, District- Patna.
92. Gopal Prasad Sharma Son of Late Sivdhar Prasad Singh Resident of Village and P.O.- Sarasaltoli, P.S.- Nawatpur, District- Patna.
93. Gayanchand Biskarma Son of Late Mangli Mistry Resident of Village- Simra, P.O and P.S.- Parsabazar, District- Patna.
94. Ramji Son of Late Basant Resident of Mohalla- Chiraitand Pirthiwipur Pahali gali, P.O.- GPO, P.S.- Kankarbagh, District- Patna.
95. Surendra Paswan Son of Late Ramchandra Paswan Resident of Village- Lakhni Bigha, P.O.- Khagaul, P.S.- Panapur, District- Patna.
96. Shyamsundar Mishra Son of Late Nageshwar Mishra Resident of Mohalla- Defence Colony, P.S.- Kankarbagh, District- Patna.
97. Kailash Son of Late Lalchand Resident of Mohalla- Churharmal Nagar Khojai Emali, P.O.- and P.S.- Phulwarisarif, District- Patna.
98. Surajdayal Prasad Son of Late Baijnath Resident of Mohalla- Viudya Nagar, P.S.- Beur, District- Patna.
99. Rita Devi Wife of Late Ranjan Resident of Mohalla- GPO, P.S.- Gardanibagh, District- Patna.
100. Aklu Son of Late Tatwa Resident of Mohalla- Noon K Chauraha Hazari K Mohalla, P.O.- Jhauganj, P.S.- Khajkalu, District- Patna.
101. Pappu Sao Son of Late Nathuni Sao Resident of Mohalla- Bawapura, P.O.- Mubarakpur, P.S.- Phulwarisarif, District- Patna.
102. Renu Daughter of Late Raja Resident of Mohalla- Languru Akhara Sadikpur, P.O.- Guljarbagh, P.S.- Alamganj, District- Patna.
103. Sima Devi Wife of Late Rajkishore Resident of Mohalla- Suichak Beur, P.S.- Beur, District- Patna.
104. Mira Kumari Wife of Late Ganpat Prasad Resident of Mohalla- Pulendu Nagar Nigam Colony, P.O. and P.S.- Phulwarisarif, District- Patna.
105. Shashishekhar Singh Son of Late Ramuchit Singh Resident of Mohalla- B.N.R Road, P.S. Alamganj- District- Patna.



- 106 Chandan Kumar Son of Late Birendra Kumar Thakur Resident of Mohalla- Mithapur B- Area, P.S.- Jakkanpur, District- Patna.
- 107 Hariom Prakash Bharti Son of Late Kirti Narayan Yadav Resident of Mohalla- Mithapur B- Area, P.S.- Jakkanpur, District- Patna.
- 108 Rizwan Ulah Ansari Son of Late Hafizyllah Ansari Resident of Mohalla- Samanpura New Belal masjid, P.S.- Sashttrinagar, District- Patna.
- 109 Saiyad Md. Mohsin Son of Late A Abu Md. Resident of Mohalla- Mangalpurva, Alibagh, P.O.- Khajkala, P.S.- Jhauganj, District- Patna.
- 110 Tri Bikaram Narayan Son of Late Devnarayan Singh Resident of Mohalla- Babhawanpura, P.O.- Mubarakpur, P.S.- Phulwari, District- Patna.
111. Salma Khatoon Son of Late Ali Ansari Resident of Village- Amhara, P.O.- Amhara, P.S.- Bihta, District- Patna.
- 112 Satrudhan Son of Late Lakhichand Resident of Mohalla- Yarpur, P.O.- GPO, P.S.- Gardanibagh, District- Patna.
- 113 Manoj Kumar Son of Late Ramchandra Ram Resident of Mohalla- Kath k Pul Mansara k Akhara, Patna City, P.O.- Jhauganj, P.S.- Mehadiganj, District- Patna.
- 114 Ram Chandra Rai Son of Late Ramavatar Resident of Mohalla- Phulpras, P.S.- Singhrailiya , District- Siwan.
- 115 Parsuram Son of Late Duryodhan Ram Resident of Mohalla- Gardanibagh, P.S.- Gardanibagh, District- Patna.
- 116 Ram Pravesh Son of Late Sukhdeo Resident of Mohalla- Kankarbagh Ashok nagar, P.S.- Kankarbagh, District- Patna.
- 117 Matur Son of Late Bhondu Resident of Mohalla- Mangal Talab, Haizon Colony, P.O.- Jhauganj, P.S.- Chowk, District- Patna.
- 118 Most. Kanti Devi Wife of Late Sew Balak Resident of Mohalla- Sashttrinagar, karpuri Bhawan, P.S.- Sashttrinagar, District- Patna.
- 119 Kashinath Singh Son of Late Ram Kripal Singh Resident of Mohalla- Nagar Nigam Colony, Piranandu Nagar Phulwarisarif, P.S.- Phulawarisarif, District- Patna.
- 120 Shankar Ram Son of Late Jhapshi Resident of PMCH Quarter, P.S.- Pirbahore, District- Patna.
- 121 Sumitri Daughter of Late Sukhu Resident of Mohalla- Bishunpuri Baipass, P.S.- Gardanibagh, District- Patna.
- 122 Harish Kumar Singh Son of Late Parikshan Singh Resident of Mohalla- Nayachak (In front of Canara Bank), P.O.- Mohanpur, P.S.- RamKrishna Nagar, District- Patna.
- 123 Shailendra Kumar Son of Late Harishankar Prasad Singh Resident of Mohalla- Gardanibagh Road No. 13, Quarter No. 2 (B), P.O.- Anishabad, P.S.- Gardanibagh, District- Patna.
- 124 Sila Daughter of Late Bundiya Resident of Mohalla- Chitkohara Vishnupur, P.S.- Gardanibagh, District- Patna.
- 125 Arun Kumar Son of Late Dev Narayan Resident of Mohalla and P.S.- Kankarbagh, District- Patna.



- 126 Devnandan Roy Son of Late Ram Briksha Roy Resident of Mohalla- Babhanpura, P.S.- Phulwarisarif, District- Patna.
127 Ram Yatan Prasad Son of Late Jatu Singh Resident of Mohalla- Parsa Bazar, P.S.- Parsa Bazar, District- Patna.
128 Raj Kumar Son of Late Jitan Ram Resident of Mohalla- Chitkohara, Vishnupuri, P.S.- Gardanibagh, District- Patna.
129 Jawahar Son of Musan Resident of Mohalla- Vishnupuri, P.S.- Gardanibagh, District- Patna.
130 Jhular Devi Wife of Nandwa Resident of Koma Sikaha Bus Road, P.O.- Jhaugan, P.S.- Chaugan, Patna City, District- Patna.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation Through its Municipal Commissioner, Maurya Lok, Budha Marg, Patna.
2. The Municipal Commissioner Patna Municipal Corporation, Maurya Lok, Budha Marg, Patna.
3. Additional Municipal Commissioner (Establishment) Maurya Lok, Budha Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.Prasoon Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-10-2019 Heard the learned counsel for the parties.

2. Following is the relief which is sought for by 130 writ petitioners in paragraph 1 of the writ application:-

“1. That this writ petition is for issuance of appropriate, writ, order or direction commanding the respondents to grant the benefit of 1st ACP and 2nd ACP to the petitioners as well as arrears of salary arising due to revision of pay scale with effect from 01.01.2006 Notional



and from 01.04.2007 till 01.04.2007 or act pay due date with statutory interest as well as penal interest to the petitioners in view of order contained in Memo No. 2908 dated 14.12.2005 as well as letter dated 08.09.2015.”

3. The petitioners claim that they are Class IV employees working under Patna Municipal Corporation and they are entitled to benefits of First Assured Career Progression and second Assured Career Progression, which have not been given to them so far. It is their cases that a decision was taken by the Corporation to grant the said benefits of Assured Career Progression on 14.12.2015 on the basis of which some of the Class IV employees of the Corporation have been allowed the benefits.

4. Considering the facts and circumstances of the case, this writ application is disposed of with a direction that let the Municipal Commissioner, Patna consider entitlement of Class-IV employees of the Corporation of grant of Assured Career Progression as is being claimed in the writ application. Once he reaches a conclusion that such employees are entitled to the benefits of Assured Career Progression, he shall ensure that all such employees, who are entitled to the benefits are



allowed the benefits within a period of six months from the date of receipt/production of a copy of this order.

5. Considering the status of the employees, who have approached this Court, it is observed that the Municipal Commissioner should ensure that the employees of the Corporation are not unnecessary compelled to approach this Court for such reliefs which should be provided to them by the Corporation in usual course.

6. In case the Municipal Commissioner is of the opinion that such benefits cannot be granted to the employees of the Corporation, he will have to pass a reasoned and speaking order within a period of two months from the date of receipt/production of a copy of this order.

7. This disposes of the application.

(Chakradhari Sharan Singh, J)

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