

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7397 of 2015

1. Chandeshwer Rai, son of Sri Khakhan Rai resident of village Palar P.S. Khutauna District Madhubani.
2. Ramesh Kumar Mahto, son of late Ramavatar Mahto, resident of Village Hanuman Nagar , P.S.- Kanti District- Muzafferpur
3. Shyamnand Jha, son of Harish Chandra Jha, resident of Village Baghant, P.S.- Manigachi District-Darbhangha.
4. Birendra Kumar Maharaj, son of Shiv Kant Maharaj, resident of village Singi, P.S. and District - Darbhanga.
5. Shivram Prasad, son of Late Parmeshwer Narain Singh resident of Village Madhopur Gardh, P.S.- Chandi District- Nalanda
6. Raghunath Sahani, son of late Sube Sahani, resident of Village Dath, P.S.- Biraul, District- Darbhanga.
7. Shova Kant Mishra son of late Vishembhar Mishra resident of Village Patore, P.S.- Bahadurpur, District- Darbhanga.
8. Md. Zamal son of Late Abdul Hamid, resident of Mohalla Mirzapur, P.S.- Sadar, District- Darbhanga.
9. Ranjit Kumar, son of Late Swroop Singh, resident of Village Chainpur, P.S.- Saratha District- Nalanda.
10. Ramshresta Thakur, son of Late Diksha Thakur, resident of Village Marwa, P.S.- Jaley, District- Darbhanga.
11. Parasnath Jha, son of Ram Lakhan Jha, resident of village Kaligaon, P.S. Singhwara, District - Darbhanga.
12. Rashbhogi Yadav, son of Late Subedar Yadav, resident of Village Parikauli, P.S.- Arer, District- Madhubani.
13. Amindra Chaudhary, son of Late Maheshwer Chaudhary, resident of village Godaipatti, P.S.- Bahera, District Darbhanga.
14. Jai Shankar Chaudhary, son of late Ramsewak Chaudhary resident of Village Basaha Mirzapur, P.S. Bahadurpur District Darbhanga.



... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna
2. The Engineer-in-Chief cum Special Secretary, Public Health Engineering Department, Government of Bihar, Patna
3. The Chief Engineer, Public Health Engineering Department , Government of Bihar, Patna.
4. The Superintending Engineer, Public Health Engineering Circle, Darbhanga.
5. The Executive Engineer, Public Health Engineering Division, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha
For the Respondent/s : Mr.S.K. Sinha- Gp15

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

Date : 18-07-2019

Heard parties.

2. This writ petition has been filed on behalf of petitioners for a direction to respondents to revise their pay scale with effect from 1.1.06 in the pay scale of Rs.5200-20200 after granting benefits of past service rendered by petitioners in work charge establishment and also to grant them benefits of ACP/MACP as granted to similarly situated employees of other districts.

3. Petitioners were appointed in work charge establishment in the year 1988 and were taken in regular establishment by order dated 1.12.06 as per policy decision



taken by the State Government in the pay scale of Rs.2550-3200/- although petitioners were drawing salary as Rs.3260 / 3320/- in preceding month. Pay scale of petitioners were revised with effect from 1.1.06 as Rs.2550-3200 without giving benefits of past service under work charge establishment and previous salary drawn by petitioners, however, pay of similarly situated employees of Madhubani districts after pay revision has been fixed at Rs.8,570/- as on 1.1.06.

4. It has been submitted on behalf of counsel for petitioners that their case is fully covered by judgment and order dated 2.2.2011 passed by this Court in C.W.J.C. No.7178 of 2010, as such, present writ petition can be disposed of with a direction to Chief Engineer-cum-Special Secretary, Public Health Engineer Department, Government of Bihar to consider their representation and grant similar benefit to petitioners as granted to the petitioners of aforesaid writ petition.

5. This writ petition is disposed of with a direction to the respondent no.2, Chief Engineer-cum-Special Secretary, Public Health Engineer Department, Government of Bihar, Patna to consider the representation filed by petitioners and if they are found to be similarly situated employees, then benefits granted by the State government pursuant to judgment and



order dated 2.2.2011 passed by this Court in C.W.J.C. No.7178 of 2010 as well as judgment and order dated 23.02.2017 passed in C.W.J.C. No. 11290 of 2016 and thereafter issuance of government order dated 7.12.2017 shall be extended to the petitioners.

6. This disposes of this writ petition.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.10.2019
Transmission Date	NA

