

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.23663 of 2019**

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Ram Lakhan Roy, Son of Late Mahadeo Roy, Resident of Village Laugain,  
Via and P.S. Shahkund, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Director, Land Records and Measurement, Bihar, Patna.
3. The District Magistrate Cum Settlement Officer, Patna, District Patna.
4. The Assistant Settlement Officer (Headquarter), Patna.
5. The District Accounts Officer, Patna, District Patna.
6. The Accountant General, Virchand Patel Marg, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

**ORAL JUDGMENT**

**Date : 29-11-2019**

The petitioner seeks a direction to respondent  
No. 2/the Director, Land Records and Measurement, Bihar,  
Patna for re-fixing his emoluments with effect from  
01.02.2009 under the circumstance that he, by virtue of a  
Government decision, is entitled for a Grade-Pay of Rs.  
4800, which hitherto was being paid to him @ Rs. 4600.



2. It has been submitted on behalf of the petitioner that he was appointed as a *Moharrir* in the Headquarters of the Settlement Office at Patna in the year 1971 and has superannuated after having completed 60 years of service. At the time of his superannuation, he was getting a Grade-Pay of Rs. 4600.

3. The issue had been under consideration of the Government and by virtue of an order dated 13.01.2017, it was decided that the Clerks who are appointed prior to 20.12.2000, would be deemed to be an Upper Division Clerks and would be entitled for payment of 3<sup>rd</sup> MACP on the Grade-Pay of Rs. 4800 with effect from 01.02.2009.

4. The aforesaid decision by the Government has necessitated the re-fixation of the emoluments of the petitioner.

5. A representation has already been filed by the petitioner before respondent No. 2 for re-fixation of his emoluments, but the same has not caught the attention of the concerned respondent.

6. Considering the submissions urged on behalf



of the parties, this Court deems it appropriate to direct the petitioner to make a fresh representation before respondent No. 2/the Director, Land Records and Measurement, Bihar, Patna for re-fixation of his pay-scale and other consequential benefits, in the light of the aforesaid decision of the Government, within a period of three weeks, which representation shall be disposed off within a further period of six weeks thereafter.

7. Needless to state that no sooner the claim of the petitioner would be found to be tenable and covered by the aforesaid decision of the Government, necessary sequel order shall also be passed within the aforesaid period.

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

**(Ashutosh Kumar, J)**

Praveen-II/-

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