

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4311 of 2018

In
Civil Writ Jurisdiction Case No.13087 of 2018

=====

Dharmendra Kumar son of Late Yadunandan Prasad, resident of Village -
Eshapur, P.S. - Noorsarai, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Minor Water Resources Department, Patna
2. Mr. Sudhir Kumar son of not known to petitioner, Principal Secretary, Minor Water Resources Department, Bihar, Patna
3. Mr. Bindeshwari Ram son of not known to petitioner, Chief Engineer, Planning + Observation + Ground Water), Minor Water Resources Department, Bihar, Patna
4. Mr. Kameshwar Choudhary son of not known to petitioner, Superintending Engineer (Hq.), Flying Squad, Minor Water Resources Department, Bihar, Patna.
5. Mr. Rahul Singh son of not known to petitioner, Secretary, Finance Department, Bihar, Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Apurva Kumar, Adv.
For the Opposite Party/s	:	Mr. Ajit Kumar- GA-9
		Mr. Arvind Kumar, AC to GA-9

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 24-07-2019 **I.A. No. 1 of 2019**

The counsel for the petitioner submits that during the pendency of this application, the order has been passed which is required to be looked into.

Accordingly, I.A. No. 1 of 2019 is allowed and the fact mentioned in the interlocutory application will be treated to be a part of main application.

The defect pointed out by the office be ignored for the



present.

In the present case, the petitioner has raised grievance against the Memo no. 215 dated 13.2.2019 (Annexure-5) and has claimed that he was getting pay scale of Rs.3050-4590 and the grade pay of Rs.2400/-, but after the order passed by this Court in C.W.J.C. No. 13087 of 2018, the grade pay has been reduced to Rs.2000.

The learned counsel for the petitioner submits that the petitioner was appointed on compassionate ground and he has made claim that he is entitled the pay of Senior Accounts Clerk i.e. grade pay of Rs.2400/- and when he was not given, he approached before this Court in C.W.J.C. No.13087 of 2018 which was disposed of vide order dated 14.08.2018, in stead of rectifying the mistake by bringing the pay at par with the Senior Accounts Clerk, rather refused to accede the request of the petitioner.

This Court in this jurisdiction cannot decide the merit of the case. Already the authority has passed the order, rejecting the claim of the petitioner.

In such view of the matter, the petitioner is liberty to take an appropriate action against the Memo no. 215 dated 13.2.2019 (Annexure-5).



Accordingly, this application is disposed of.

(Shivaji Pandey, J)

Mahesh/-

U			
---	--	--	--

