

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24039 of 2019

1. Braj Bhushan Mishra Son of Late Shyam Nandan Mishra, working as Keyman-cum-Chaukidar, PHED Division, Arwal, P.S. and District- Arwal.
2. Lal Bihari Yadav, Son of Late Chintaman Yadav, Retired Keyman-cum-Chaukidar, PHED Division, Arwal, P.S. and District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Engineer, PHED, Government of Bihar, Patna.
2. The Chief Engineer, PHED, Government of Bihar, Patna.
3. The Executive Engineer, PHED, Jehanabad Division, Jehanabad, District- Jehanabad.
4. The Executive Engineer, PHED Arwal, Division Arwal, District- Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amaresh Kumar Singh
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT

Date : 10-01-2020

Heard learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

The petitioners in the present writ application have come to this Court claiming parity with other similarly situated employees who had been taken into the regular establishment and whose services were regularized with effect from 01.12.2006 and vide order contained in Office Order dated 28.03.2014, the persons so named therein were directed to be paid their salary and the difference of salary which was due to them with effect from the aforementioned date i.e.01.12.2006. It



is submitted that the petitioners are those persons whose name figured in the order dated 28.03.2014 (Annexure-2) and in pursuance of their equal status with others named in the aforementioned order, they are now claiming benefit of the 6th Pay Revision and also the 7th Pay Revision. The further contention of the petitioner is that the difference of consequential salary is also due to the petitioners for which necessary directions may also be made. Learned counsel for the petitioners submits that several other similarly situated persons, namely, Gandhi Choudhary, Kamlesh Sharma, Ram Singhasan Singh, Rameshwar Ram and Krishna Ram whose names also figured in the letter dated 28.03.2014 have since been extended the benefit of the 6th Pay Revision and have been paid its difference in salary which is evident from Annexure-4 which is the direction issued by this Court. Learned counsel for the petitioners submits that pursuant to the direction of this Court, these similarly situated employees have been granted the benefit and, therefore, appropriate interference and direction would suffice the cause of justice.

Considering the aforementioned facts and circumstances and that the petitioners having been regularized along with those employees named in Annexure-4, it would be



appropriate and in the interest of justice that the concerned respondents should take necessary steps towards fixing the scale of the petitioner in accordance with the 6th Pay Revision Report and also the 7th Pay Revision Report and having done so undertake the necessary exercise for making payments of arrears which would accrue to the respective petitioners from the respective dates from which they have been so granted the said scales. The aforesaid exercise should be conducted within a period of six weeks from the date of receipt/production of a copy this order.

With the aforementioned directions, the present writ application stands disposed off.

(Anjana Mishra, J)

Saif/-

AFR/NAFR	
CAV DATE	N.A.
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