

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1056 of 2020

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Nitya Nand Mishra Son of Purandar Mishra, Resident of Village-Gopalkha,
P.O. Bharam, P.s. Jhanjharpur, District Madhubani, the retired Store Keeper,
L.N.T. College, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, B.R.A. Bihar University, Muzaffarpur.
6. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
7. The Principal, Lalit Narayan Tirhut College, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mr. Prabhat Ranjan Singh, AC to AAG 15
For the University	:	Mr. Nikhil Agrawal, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-02-2020 The grievance of the petitioner in the present writ petition is denial of the pay scale of Store Keeper, the post on which the petitioner is working.

Learned counsel appearing on behalf of the petitioner submits that after the judgment of the Apex Court in the case of State of Bihar & anr.. Vs. Sunny Prakash and others, Civil Appeal No. 516 of 2013 arising out of SLP (C) No. 22617 of 2008, the respondents have decided to grant benefit of pay scale of Rs. 5500-9000 with effect from 1.1.1996 vide memo no. 1139



dated 18.6.2014 and memo no. 1340 dated 23.08.2016 but in the case of the petitioner the respondents are adopting delay tactics.

Considering the aforesaid submission, the writ petition is disposed of with the direction to the University to adopt corrective measures and if similarly circumstanced others have been extended the benefit of pay scale of 5500-9000 w.e.f. 1.1.1996 and other benefits of ACP and MACP w.e.f. 5.4.2004 and 5.4.2010 respectively then in the case of the petitioner, they should adopt same yardstick and grant consequential benefits. Necessary decision in this regard must be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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