

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4052 of 2020

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1. Tripurari Jha, S/o Late Jagranath Jha, Resident of Ratanpur, P.O.-Barharwa, P.S.-Mejarganj, District- Sitamarhi, Presently Posted as Clerk, in the Office of District Education Officer, Muzaffarpur.
 2. Sanjay Kumar, S/o Late Mishri Lal Kumar, Resident of Kanhauli Math, P.S. Ramna, District- Muzaffarpur, Presently Posted as Clerk in the Office of District Education Officer, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal, Secretary Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education Department, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Muzaffarpur, District- Muzaffarpur.
5. The District Education Officer, Muzaffarpur, District- Muzaffarpur.
6. The District Programme Officer, Muzaffarpur, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s : Mr. Amit Bhushan, AC to GP-17)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 16-03-2021

Heard learned counsel for the petitioners and the respondents.

The petitioners of this case are aggrieved by non-consideration of their case for grant of pay scale of Rs. 4000-6000/- in the light of judgment of L.P.A. Court passed in L.P.A. No. 167 of 2016.

Learned counsel for the petitioners submits that the father of petitioner no.1 died in harness on 02.08.1999 whereas the father of petitioner no.2 died in harness on 01.02.1996. He further



submits that application for appointment on compassionate ground was submitted by petitioner no.1 on 20.09.1999 and on 25.01.1998 petitioner no.2 submitted his application. He further submits that petitioner no.1 was appointed on 10.10.2001, whereas petitioner no.2 was appointed on 28.11.2003, as Clerk.

Learned counsel for the petitioners submits that pay scale of Rs.3050 to 4500/- was introduced in December, 2000 whereas the father of petitioners died in harness prior thereto and their case for compassionate appointment are pending before 2000 and in view of the judgment rendered by the L.P.A. Court in L.P.A. No. 167 of 2016, the petitioners deserve the benefit of grant of pay scale of Rs.4000-6000/-, in place of Rs.3050 to 4500/-.

In order to maintain consistency, the writ application is disposed of in the light of the judgment passed in L.P.A. No. 167 of 2016. The respondents are directed to extend the benefit of pay scale of Rs.4000-6000/- to the petitioners forthwith.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.03.2021
Transmission Date	NA

