

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15309 of 2021

1. Jayanti Devi W/O Late Maheshwar Gonjhu Presently Working as Clerk in the office of Deputy Director, Cane Development, Patna, District- Patna.
2. Avinash Kumar S/O late Hari Narayan Prasad Presently Working as Clerk in the office of Deputy Director, Cane Development, Patna, District- Patna.
3. Yogendra Kumar S/O Late Ram Parit Prasad Presently Working as Clerk in office of Cane Office, Gopalganj, District- Gopalganj.
4. Sanjay Kumar Kaushal S/O - Late Lakhan Lal Paswan, Presently Working as Clerk in the Office of Special Cane Office, Patna, District Patna.
5. Vinay Kumar S/O - Late Hari Shankar Jha Presently Working as Clerk in the Office of Deputy Director, Cane Development, Patna, District- Patna.
6. Ajit Kumar S/O Late Suresh Prasad Presently Working as Clerk in the office of Sugar Cane Industries Department, Patna, District- Patna.
7. Rahul Kumar S/O Late Kamlesh Prasad Presently Working as Clerk in the office of Assistant Director, Cane Development, Patna, District- Patna.
8. Manoj Kumar S/O Late Basudeo Prasad Presently Working as Clerk in the office of Assistant Director, Cane Development, Patna, District- Patna.
9. Jay Prakash Prasad S/o Late Shambhu Prasad Presently Working as Clerk in the office of Assistant Director, Cane Development, Bagha, District- West Champaran.
10. Rakesh Kumar Yadav S/O late Shiv Nandan Yadav Presently Working as Clerk in the office of Assistant Director, Cane Development, Purnea, District- Purnea.
11. Sriram Sharma S/O Late Mohan Sharma Presently Working as Clerk in the office of Assistant Director, Cane Development, Siwan, District- Siwan.
12. Amit Kumar S/O Late Mohan Choudhary Presently Working as Clerk in the office of Assistant Director, Cane Development, Bagha, District- West Champaran.
13. Hemant Kumar Raushan S/O Late Ghanshyam Nidhi Presently Working as Clerk in the office of Sugar Cane Industries Department, Patna, District- Patna.
14. Deepak Kumar Panday S/O late Krishna Deo Panday Presently Working as Clerk in the office of Deputy Director, Cane Development, Patna, District- Patna.
15. Amit Kumar S/O Late Nirmal Dubey Presently Working as Clerk in the office of Assistant Director, Cane Development, Siwan, District- Siwan.
16. Abhinav Kumar S/O Late Ram Pukar Roy Presently Working as Clerk in the office of Assistant Cane Commissioner, North Bihar, Muzaffarpur, District- Muzaffarpur.
17. Sudhir Prasad Shahi S/O Late Bharat Prasad Shahi Presently Working as Clerk in the office of Assistant Director, Cane Development, Samastipur, District- Samstipur.
18. Manjar Alam S/O Late Abdul Ahad Presently Working as Clerk in the office



of Cane Officer, Muzaffarpur, District- Muzaffarpur.

19. Ravi Raj Ratan S/O Late Ravindra Kumar Presently Working as Clerk in the office of Assistant Director, Cane Development, Saharsa, District- Saharsa.
20. Rahul Kumar S/O Late Khush Nandan Singh Presently Working as Clerk in the office of Assistant Director, Cane Development, Sitamarhi, District- Sitamarhi.
21. Sandhya Kumari D/O Late Birbal Sharma Presently Working as Clerk in the office of Assistant Director, Cane Development, Gaya, District- Gaya.
22. Ranjan Kumar Sinha S/O Late Brajeshwari Prasad Sinha Presently Working as Clerk in the office of Assistant Director, Cane Development, Jamui, District- Jamui.

... ... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Sugar Cane Industries Department, Government of Bihar, Patna.
3. The Cane Commissioner, Bihar, Patna.
4. The Deputy Director, Cane Development, Patna.
5. The Assistant Director, Cane Development, Patna.
6. The Assistant Director, Cane Development, Gaya.
7. The Assistant Director, Cane Development, Jamui.
8. The Assistant Director, Cane Development, Purnea.
9. The Assistant Director, Cane Development, Samastipur.
10. The Assistant Director, Cane Development, Siwan.
11. The Assistant Director, Cane Development, Bagha, West Champaran.
12. The Assitnat Director, Cane Development, Saharsa.
13. The Assistant Director, Cane Development, Sitamarhi.
14. The Assitnat Cane Commissioner, North Bihar, Muzaffarpur.
15. The Special Cane Officer, Patna.
16. The Cane Officer, Gopalganj.
17. The Cane Officer, Muzaffarpur.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gyan Shankar
For the Respondent/s : Mr.Abbas Haider (Sc

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 25-11-2021



Heard the learned counsels for the parties.

2. In the instant petition, petitioners have prayed for following reliefs:

“(i) Issuance of a writ, writ(s), order orders commanding the respondent authorities to grant the pay scale of Rs. 4000-6000 of Assistant (Clerk) in place of Rs. 3050-4590 to the petitioners who are working as Assistant (Clerk) in Sugarcane Industries Department from the date of their appointments considering the order passed by this Hon’ble Court in L.P.A. No. 167 of 2016, CWJC No. 17151 of 2018, CWJC No. 1335 of 2020 and CWJC No. 2587 in the light of which other similarly situated persons in the same department of the petitioners have been granted the scale of Rs. 4000-6000.

(ii) For commanding the respondent authorities to pay the arrears of salary to the petitioners in the revised scale of Rs. 4000-6000 from the date of their appointment with all consequential benefits.

(iii) For issuance of any other writ(s), order(s) or direction(s) as may be deemed fit and proper by this Hon’ble Court.”

3. The grievance of the petitioners are that they are working against the post of Assistant (Clerk) in the Sugarcane Industries department, Government of Bihar. According to the petitioners, inadvertently they have been extended the pay-scale of Rs. 3050/- to 4590/- instead of Rs. 4000/- to 6000/-.

4. Learned counsel for the petitioners submitted that identical issue was decided by the co-ordinate Benches of this



Court in C.W.J.C. No. 1335 of 2020 and C.W.J.C. No. 2587 of 2020 read with L.P.A. No. 167 of 2016. The same has been highlighted in the representation dated 06.11.2020 (Annexure-13).

5. In the light of these facts and circumstances, Respondent No. 2 is hereby directed to examine the grievance of the petitioners in the light of the earlier decisions of this Court (supra) and redress the grievances. The above exercise shall be completed within a period of three months from the date of receipt of copy of this order and communicate the decision to be taken to each of the petitioner at the earliest.

6. If the petitioners are entitled to higher pay scale in that event difference of pay shall be calculated and disbursed to each of the petitioner.

7. Accordingly, the present writ petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	29.11.2021
Transmission Date	

