

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2595 of 2021

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Nirbhay Kumar Mishra son of Late Abhay Nandan Mishra resident of
Mohalla- Kamal Nagar Colony, Mirjanhat, P.O.- Mirjanhat, P.S.- Mojahidpur,
District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department,
Government of Bihar, Patna
2. The District Magistrate Bhagalpur
3. The Circle Officer Gopalpur, District- Bhagalpur
4. The Accountant General (A and E) Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate
For the Respondent/s : Mr. Anil Kumar Singh, GP-26

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

Date : 24-11-2021

Petitioner's counsel submitted that petitioner
has taken away the file, in the result, he is not appearing.

2. In the instant case, petitioner has prayed for
following reliefs:

“1. To direct the respondents
to fix the pension of the petitioner after
correcting the pay scale in correct pay scale
i.e. in Rs. 33,000/- as on 1.7.2017 which has
not been done and wrongly and illegally
after fixed the pay scale in the old pay scale
i.e. 22,400/- as on 1.7.2017, he has been
granted pension at the rate of Rs. 11,200/- in
place of 16,500/- w.e.f. 1.1.2018 since he
has superannuated from the service on
31.12.2017 to the post of Revenue
Karmchari which putting the petitioner in
great loss and difficult to survive.



II. To direct the respondents to grant the petitioner, his due Time Bond Promotion which has not been paid to him in proper scale and thereafter revised the entire pay scale and after proper fixation of the same, pay the arrears of pension and other pensionary benefits after deducting what has already been paid.

III. That the Honb'le Court may be pleased to grant any other relief or reliefs to the petitioners as this Hon'ble Court may think it proper in the present facts and circumstances of this case.”

3. Learned counsel for the respondents pointed out from Annexure- 3 and 4 to the counter affidavit that the petitioner's relief sought in the present case has been considered and rejected. Perusal of Annexure-3 and 4 dated 23.06.2021, it is evident that communications are not speaking as the same do not reveal service particulars of the petitioner read with fixation of the pay in respect of particular post/posts.

4. The concerned respondent is hereby directed to take note of the petitioner's grievance and pass a fresh speaking order with reference to his service particulars read with relevant revised pay-scale/post notification or order. The above exercise shall be completed within a period of three months from the date of receipt of copy of this order. Such



communications shall be made to the petitioner at the earliest.

5. Accordingly, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	30.11.2021
Transmission Date	

