

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6626 of 2020

1. Shambhu Kumar Son of Panchanan Bhagat, Resident of Ward No. 16, Bajrang Chowk, P.S.-Chhattarpur, District-Supaul, presently posted as Store Keeper in the office of Executive Engineer, Purvi Tatbandh Pramandal, Irrigation Department, Birpur, Supaul.
2. Sushil Kumar Suman, Son of Late Ganesh Prasad Singh, Resident of Village and Post-Kathdumar, P.S.-Simri Bakhtiyarpur, District-Saharsa, presently posted as Store Keeper in the office of Executive Engineer, Purvi Tatbandh Pramandal, Irrigation Department, Birpur, Supaul.
3. Satyadeo Prasad, Son of Late Ramnath Prasad @ Ramnath Raut, Resident of Village and P.O.-Banu Chhapar, Barhai Tola, Ward No. 4, P.S.-Mufassil, Bettiah, District-West Champaran.
4. Amit Kumar Verma, Son of Nirmal Kumar Verma, Resident of Vindhyaachal Bhavan, Babunia More, P.S.-Siwan, District-Siwan, presently working as Store Keeper in Drainage Division, Irrigation Department, Siwan.
5. Anjani Kumar, Son of Late Ravindra Tewari, Resident of Village-Meenapur Rai, P.S. Sadar Hazipur, District-Vaishali, presently posted as Store Keeper in the office of Executive Engineer, Canal Division, Muzaffarpur.
6. Birendra Paswan, Son of Late Ramji Paswan, Resident of Village and P.O.-Belchhi, P.S.-Ariyari, District-Shekhpora, presently working as Store Keeper in Irrigation Mechanical Division, Muzaffarpur.
7. Deepak Kumar Thakur, Son of Late Narmadeshwar Thakur, Resident of Village-Kamalpur, P.S.-Barahat, District-Banka, presently working as Store Keeper in the office of the Executive Engineer, Saran Canal Division, Maharajganj.
8. Santosh Kumar, Son of Late Guru Chanran Prasad, Resident of Village and Post-Tujarpur, P.S.-Khaira, District-Saran at Chapra, presently posted as Store Keeper in Flood Control and Drainage Division, Water Resources Department, Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Engineer-in-Chief, Water Resources Department, Govt. of Bihar, Patna.
5. The Chief Engineer, Irrigation Creation, Water Resources Department, Siwan.
6. The Chief Engineer, Sinchai Shrijan, Water Resources Department, Motihari.
7. The Chief Engineer, Flood Control and Drainage Discharge, Water Resources Department, Birpur.



8. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Gopalganj.
9. The Chief Engineer, Mechanical, Water Resources Department, Patna.
10. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Muzaffarpur.
11. The Executive Engineer, Purvi Tatbandh Pramandal, Irrigation Department, Birpur, Supaul.
12. The Executive Engineer, Tirhut Canal Division, Water Resources Department, Muzaffarpur.
13. The Executive Engineer, Saran Canal Division, Water Resources Department, Chapra.
14. The Executive Engineer, Mechanical Division, Water Resources Department, Muzaffarpur.
15. The Executive Engineer, Drainage Division, Water Resources Department, Siwan.
16. The Executive Engineer, Flood Control and Drainage Division, Water Resources Department, Chapra.
17. The Executive Engineer, Saran Canal Division, Water Resources Department, Maharajganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prashant Sinha
For the Respondent/s : Mr. Vikash Kumar (Sc11)

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

Date : 28-03-2022

Heard the learned counsels for the parties.

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

“(i) For necessary direction upon the respondent authorities to grant the Grade Pay of Rs. 2400/- in PB-1 to the petitioners, who are working as Store Keepers in the Irrigation Department, as the Finance Department, Govt. of Bihar vide its memo no. 630 dated 21-01-2010 has decided that the Store Keepers in the Irrigation Department are entitled for the Grade Pay of Rs. 2400/- in



PB-1 and pre-revised pay scale of Rs. 4000-6000/-.

(ii) For necessary direction upon the respondent authorities to grant the pre-revised pay scale of Rs. 4000-6000/- to such petitioners, who were appointed prior to 01-01-2006 and then revise their pay in the Grade Pay of Rs. 2400/- in PB-1.

(iii) For necessary direction upon the respondent authorities to pay all consequential benefits pursuant to such revision including arrears of salary, increments etc.

(iv) For any other direction, which your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. In support of the aforesaid relief, petitioners are stated to have submitted representation. In the counter affidavit, respondents have taken a decision that the petitioners are not entitled having regard to the nature of appointment and date of appointment is subsequent to 20.12.2000. In so far as relief sought in the present petition relating to extending revised pay scale of Rs. 4000/- to 6000/- in the Grade Pay of Rs. 2400/- in PB-1 is concerned, it is not applicable to such of those persons who were appointed beyond 20.12.2000. However, specific order has not been passed so as to enable the concerned petitioners to question the validity of decision whether the aforesaid pay scale is applicable to such of those persons who were appointed subsequent to 20.12.2000 or not. Therefore,



concerned respondent is hereby directed to pass speaking order and communicate the same to each of the petitioner within a period of two months from the date of receipt of this order. If adverser order is passed against the petitioners they are at liberty to challenge the order.

4. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	30.03.2022
Transmission Date	

