

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8388 of 2021

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Shyam Bihari Pd. Singh S/o Late Adhik Lal Prasad Singh R/o Village-
Khiddi, P.s.- Rajaun, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Agriculture, New Secretariat, Government of Bihar, Patna
2. The Principal Secretary, Department of Agriculture, New Secretariat, Government of Bihar, Patna
3. The Director, Agriculture , Bihar, Patna
4. The Collector, Jamui
5. The Block Development Officer, Gidhaur, Jamui

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate
For the Respondent/s : Mr. Raghwanand (Ga11)

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

Date : 25-03-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

In the instant petition, petitioner has prayed for the following reliefs:-

“(i) For issuance of writ in the nature of Mandamus commanding and directing to the respondents to grant arrears of 6th pay scale w.e.f. 1.1.2006 and its financial benefits w.e.f. 1.4.2007 on pay scale of Rs. 9300-34800 with Grade pay of Rs. 4800/- along with interest till date of its payment.

(ii) Further prayer for a direction to the respondents to grant M.A.C.P. benefits to the petitioner w.e.f. 1.1.2009 and accordingly revised the pay scale.



(iii) For a direction to the respondents to sanction earned leave and then grant earned leave salary from 9.1.2009 to 9.2.2009 during strike period.

(iv) To grant arrears of Grade pay of Rs. 4200/-

(v) To pay to the petitioner suitable interest on arrears of pay from its due date till date of its payment.

(vi) To grant all other consequential benefits to the petitioner for which he is legally entitled.

(vii) And for the other necessary relief/reliefs for which the petitioners are entitled to in accordance with law.”

The aforesaid relief is supported by number of representations as is evident from Annexure-2, 4 to 8. The concerned respondent has not taken any action either accepting or rejecting the petitioner's claim relating to sixth pay-scale and consequential benefits including MACP, Earned Leave salary and Grade Pay etc.

The concerned respondent is hereby directed to take note of the petitioner's representation, service particulars of the petitioner, relevant Rule in respect of extending sixth pay-scale, MACP and other relevant materials. If the petitioner is otherwise eligible necessary order shall be passed and, thereafter, proceed to re-fix the pay, pension and extend all monetary benefits while calculating with reference to a particular date on which petitioner is



entitled. If petitioner is not entitled, in that event, necessary speaking order shall be passed as to why the petitioner is not entitled to each of the reliefs sought in the representation read with the relief sought in the present petition. The above exercise shall be completed within a period of four months from the date of receipt of this order.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

