

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19165 of 2014

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Bihar Administrative Service Association through its General Secretary Sushil Kumar son of Late Raghunath Prasad, having office at Administrative Service Building (BASA Bhawan), Jawahar Lal Nehru Marg, Patna- 1

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna
3. The Under Secretary, Finance Department, Personal Claim Fixation Cell (PCFC), Govt. of Bihar, Patna
4. The Officer-in-Charge-cum-Authorised Officer, Personal Claim Fixation Cell (PCFC), Finance Department, Govt. of Bihar, Patna

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 05-12-2022

Heard Mr. Abhay Shankar Singh, learned counsel appearing on behalf of the petitioner and Mr. Anil Kumar Singh, learned GP-26, for the State.

2. The petitioner, who is Bihar Administrative Service Association, came before this Court for the following reliefs:

A) For issuance of appropriate writ/writs, order/orders, direction/directions to quash the circular no. 3623 dated 31.3.2010 (Annexure-1); issued by the Deputy Secretary of Finance



Department regarding admissibility of grade pay and pay band in revised pay scale, which is contrary to the proviso of Rule-24 of Departmental Examination Rules, 1961 and further for a consequential writ directing the respondents to implement the proviso of said Rule-24 by giving notional benefit to all the officers of petitioner association under 6th pay revision, as contemplated therein following terms: “Provided further that if the passing of the Departmental Examination or the confirmation of the officer or the submission of records of cases be delayed, the officer will be entitled, on fulfilling the conditions mentioned above, to draw pay at that stage in the time scale to which he would have been entitled, had there been no delay in passing of the Departmental Examination or in his confirmation or in the submission of record of cases.”

B) For any other relief/reliefs to which the petitioner is found entitled under the facts and circumstances of the present case.”

3. In the midst of argument, Mr. Abhay Shankar Singh, learned counsel for the petitioner submits that for ventilating his grievance, he filed a representation before the Principal Secretary, Finance Department, Government of Bihar, Patna and the same has not been considered and disposed of till date, causing irreparable pecuniary loss to the members of the petitioner's association.



4. In view of the submissions made on behalf of the learned counsel for the petitioner, the present writ application stands disposed of with a direction to the Principal Secretary, Finance Department, Government of Bihar to consider the representation of the petitioner, as contained in Annexure-4 to the writ application, and pass a reasoned and speaking order preferably within a period of three months from the date of production of a copy of this order.

5. Accordingly, the present writ application stands disposed of.

6. It is needless to say that any outcome of the order passed by the Principal Secretary, Finance Department, the natural consequence would follow.

(Ahsanuddin Amanullah, J)

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.12.2022
Transmission Date	NA

