

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10090 of 2021

1. Vinay Kumar Son of Pradeep Das Resident of Gandhi Nagar Baswriya, Bettiah Town, Ward NO. 31, P.S.-Bettiah, District-West Champaran.
2. Md. Shamim Ahamad Son of Mohammad Wakil Ahmad, Resident of Baswariya (Daroga Tola), P.S.-Bettiah Town, District-West Champaran.
3. Nitesh Kumar Ranjan Son of Late Amar Kishor Ram Resident of Bengali Caloni, Bettiah Mufassil, Ward No. 32 P.S.-Bettiah District-West Champaran.
4. Rajesh Kumar Ray Son of Late Ghanshyam Ray, Resident of Dhumnagar, Ward No. 12, P.S.- Nutan, District-West Champaran.
5. Deepak Kumar Patel Son of Jagdish Prasad Patel, Resident of, Bettiah, Ward No. 18, Ganj No. 02, P.S.-Bettiah Town, District-West Champaran.
6. Jeetendra Kumar Son of Late Satynarayan Prasad , Resident of Lauriya, Ward No.12, P.S.-Lauriya, District-West Champaran.
7. Nishant Kashyap Son of Arvind Kumar Resident of Bihind Bantresha School, Bettiah, P.S.-Bettiah Town, District-West Champaran.
8. Prem Chandra Kumar Son of Kaulesnwar Prasad Resident of Lauriya, Ward No. 06, P.S.-Lauriya, and District-West Champaran.
9. Sunil Nath Tiwari Son of Kameshwari Nath Tiwari Resident of Bishunpurawa, Bibi Bankatwa, Ward No.05, P.S.-Bibi Vankatwa, District-West Champaran.
10. Raj Kishor Rao Son of Bharat Rao, Alok Bharti, Resident of Bettiah, P.S.-Bettiah Town, District-West Champaran.
11. Sanjay Kumar Verma Son of Nageswar Prasad Resident of Basopatti, Ward No. 08, P.S.-Purnia, District-West Champaran.
12. Brajesh Kumar Son of Shivpujan Resident of, Tikuliya, Chanpatia, Ward No. 10 P.S.-Chanpatia, District-West Champaran.
13. Suresh Yadav Son of Ramyash yadav, Resident of Tamkuha, District-West Champaran.
14. Kumari Jyoti Wife of Niraj Kumar, Resident of, Mahendra Colony, Ward No. 04, P.S.-Bettiah Town, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna.
2. Principal Secretary Department of General Administration (Formerly Known as Personnel and Administrative Reforms Department) Government of Bihar, Main Secretariat, Patna.
3. District Magistrate, West Champaran.
4. Deputy Collector, Establishment, Collectorate, West Champaran.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Harendra Kumar Tiwary, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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

Date : 23-02-2022

Heard learned counsel for respective parties.

Learned State counsel accepts notice for respondents.

Learned counsel for the petitioners is hereby directed to furnish a copy of the petition to learned counsel for the State if it not already furnished.

In the instant petition, petitioners have prayed for the following relief(s):-

“(i) For issuance off appropriate writ(s) order(s) and direction to respondents to consider case of Petitioners' pay parity 3 in scale of Rs.4000-100-6000/Revised scale of Rs. 5200- 20200 with grade pay of Rs.2400, in place of present grade pay of Rs.1900/with accrued arrears, in view of the admitted position that some persons who are juniors to Petitioners are getting Scale of Rs. 4000-1006000/(Revised scale of Rs. 5200--20200 with grade pay of Rs. 2400/ but these Petitioners are being denied the same, without any valid justification thereof.

(ii) For issuance of appropriate writ, order and order and direction(s) to respondents to remove anomaly in pay parity in the light of Memo No. 7433, dt.05.06.2018 and Notification No. 821 dt. 23.03.2011, which are applicable in the case of these Petitioners, but the same have



not been implemented, without having any justification thereof. ii. For issuance of appropriate writ, order and direction(s) to respondents to grant promotion and specific pay scale in the light of in the light of Memo No. 7433, dt. 05.06.2018, which is applicable in the case of these Petitioners also.

(iii) For issuance of appropriate writ, order and direction(s) to respondents to grant of pay parity to these Petitioners' in view of the admitted fact that in the light of Annexure- 4 and 5 (Series) other similarly situated persons have already been granted benefit but cases of these Petitioners are not being considered by respondents reasons best known to them.

(iv) For any other relief(s) for which petitioners may be found entitled in the facts and circumstances of this case.”

Short question for consideration in the present petition is whether the petitioners are entitled to revised pay scale of Rs. 5200-20200/- with grade pay of Rs. 2400/- instead of grade pay of Rs. 1900/-. In this regard, petitioners have submitted representation dated 20.06.2015 *vide* Annexure-6 series.

Therefore, the respondent no. 3, the District Magistrate, West Champaran is hereby directed to examine service particulars of each of the petitioner and find out as to whether each of the petitioner is entitled to revised pay-scale of Rs. 5200-20200/- with-



grade pay of Rs. 2400/- or not? If the petitioners fulfil the relevant criteria in that event necessary order shall be passed in extending the aforesaid revised pay-scale along with arrears amount if any. If the petitioners do not fulfil criteria for the purpose of extending revised pay-scale of Rs. 5200-20200/- with grade pay of Rs. 2400/- in that event necessary speaking order shall be passed and communicated to the petitioners. 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

