

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12820 of 2021

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1. Shradha Nand Mishra Son of Late Mahendra Mishra Resident of Village-Baluan, P.S. Ara (Muffsil), District- Bhojpur (Ara) presently posted as Sheriestedor, Civil Court Buxar, presently resided at Civil Lines (Club) Ward No.18, P.S. Buxar (Town), District- Buxar.
 2. Dhananjay Tiwari Son of Late Satya Narayan Tiwari Resident of Village and P.O.- Baraki Nainijor, P.S. Bhrahmpur, presently posted as Sheriestedor, Civil Court, Buxar.
 3. Sheo Dhyam Ram Son of Sri Supan Ram Resident of Village- Koirpurwa, Ward No. 32, By Pass Road, Kali Mandir, P.S.- Buxar (Town), District- Buxar, Presently posted as Sheriestedor, Civil Court, Buxar.
 4. Akhileshwar Singh Son of Late Ram Bachan Singh Resident of Village- Ariyaon, P.S.- Krishna Brahm, District- Buxar, Presently posted as comparing Clerk, Civil Court, Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Law Department, Bihar, Patna.
2. The Assistant Secretary, Law Department, Bihar, Patna.
3. The Patna High Court, Patna through the Registrar General.
4. The Registrar General, Patna High Court, Patna.
5. The District Judge, Civil Court, Buxar.
6. The Judge, In-charge (Accounts), Buxar, Civil Court, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Singh
For the Respondent No. 3 to 6	:	Mr. Satyabir Bharti

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

Date : 18-05-2022

Heard learned counsel for the respective parties.

In the instant petition, petitioners have prayed for
the following relief/reliefs:

*“That, the writ petition is being filed
to quash and set aside the letter no. 6810*



dated 15.12.2020 passed by the Assistant Secretary, Law Department, Bihar, Patna where under and whereby upgraded pay scale of petitioners of PB-2-5400/- Level 9 reduced to pay scale of 4600/- level 7 and vide order no.10 dated 24.05.2021 passed by Screening Committee headed by the District Judge Buxar where under and whereby the order of deduction has been passed and deduction by the petitioners salary have been started from the month of May 2021.”

On 09.05.2022 the following order was passed:

“Heard learned counsel for the respective parties.

Learned counsel for the High Court seeks time to verify that before impugned action/order dated 24.05.2021, whether petitioners have been provided opportunity of hearing or not?

Re-list this case on 17.05.2022.”

Today, Mr. Satyabir Bharti, learned counsel for respondent nos. 3 to 6, on instruction, submitted that before



passing of the impugned order dated 24.05.2021 petitioners have not been heard in the matter.

Accordingly, the impugned orders dated 15.12.2020 and 24.05.2021 are set aside. If any amount is deducted from petitioners, in that event, the same shall be refunded within two months from today, reserving liberty to the concerned respondents to initiate appropriate action in accordance with law and complete proceedings within a period of three months from the date of receipt of this order.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.05.2022
Transmission Date	NA

