

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2010 of 2021

1. Ajit Kumar son of late Shivshankar Singh resident of village - Sahori, Ward no. 05, P.O. - Manikpur Sehan, P.S. Sarai, District- Vaishali.
2. Vidya Nand Jha son of late Ramesh Jha resident of village - North Pohaddi, Ward no. 11, P.O. - Pohaddi, P.S. Bahera, District- Darbhanga.
3. Baiju Kumar Chaudhary son of late Brahamdev Choudhary resident of village - Imam Bari, Laheriasarai, Dumduma, P.S. Laheria Sarai, District- Darbhanga.
4. Rakesh Kumar son of late Chandeshwar Rai resident of village - Kushail, P.O. - Bhithadharampur, Ward No. 14, P.S. - Pupri Kusail, District- sitamarhi.
5. Anil Kumar Singh son of late Upendra Singh resident of village - Sonpur (Ahira Patti), P.O. - Sonpur, P.S. - Sonpur, District- Saran.
6. Baibhav son of late Kailash Mishra resident of village - Shivdaha Barail, P.O. - Shivdaha Barail, P.S. - Gayghat, District- Muzaffarpur.
7. Kusheshwar Jha son of late Shubh Narayan Jha resident of village - Sirsi, P.O. - Sirsi, P.S. - Nanpur, District- Sitamarhi.
8. Rakesh Ranjan son of late Chandeshwar Yadav, resident of village - Sirkhiriya, P.O. - Sirkhiriya, P.S. Runisaidpur, District- Sitamarhi.
9. Navin Kumar son of late Shiv Shankar Thakur resident of village and P.O. - Pirapur Piyar, P.S. - Bandra, District- Muzaffarpur.
10. Rupesh Kumar son of late Indrakant Lal Karn resident of village - Dudhpura, P.S. - Hasanpur District- Samastipur.
11. Munna Kumar Mehra son of late Bisheshwar Mehra resident of village - jai Nagar, Ward No. 13, P.S. Jainagar, District- Madhubani.
12. Ravindra Yadav son of late Chote Lal Yadav resident of village - Pipra Khas, P.O. and P.S. - Mirganj, District - Gopalganj.
13. Rajesh Kumar Diwakar son of late Basant Singh resident of village - Raibagh, P.O. - Kachi Dargah, P.s. Didarganj, District- Patna.
14. Md Kamran Ghani son of late Md. Rizwan resident of village - Mokrapur, P.O. - Mokrapur, P.S. - Sakri, District- Madhubani.
15. Birendra Kumar Thakur son of late Mahendra Thakur resident of village - Belaur, Ward no. 07, Belaur P.O. - Bealur, P.S. Manigachi, District- Darbhanga.
16. Amar Kumar son of late Laxmi Yadav resident of village - Mabbi P.O. - Mahuli, P.s. - roshra, District- Samastipur.
17. Anand Kishor Jha son of late Sadanand Jha resident of village - Samaul, P.O. - Birsair, P.S. - Nagarthana, District- Madhubani.
18. Arbind Kumar Paswan son of late Rajendra Paswan resident of village - Sambha, P.O. - Markam, P.S. - Sakra, District- Muzaffarpur.
19. Kishan Kumar son of late Nand Kishor Srivastav resident of village - Tajpur Road, Shivpuri- Mohalla - Dharampur P.O. and P.S. - Samastipur, District-



Samastipur.

20. Alok Kumar Singh son of late Ram Ekwai Singh resident of village - Navani, P.O. Navani, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Govt. of Bihar.
2. The Principal Secretary, Department of Minor Water Resources Department, Govt. of Bihar.
3. The Chief Engineer, (Planning and Monitoring and Ground Water), Minor Water Resources Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Minor Water Resources Department, Muzaffarpur.
5. The Superintending Engineer, Minor Irrigation Circle, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra
For the Respondent/s : Mr. Ajeet Kumar, GA 9

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

Date : 22-02-2022

Heard learned counsel for the parties.

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

“(i) For a direction to the respondents to grant the pay scale of Rs. 4000/- - Rs. 6000/- to the petitioners who are working as Lower Division Clerks in the Minor Irrigation Circle, Muzaffarpur, Government of Bihar as it has been granted to other Lower Division Clerks in other Departments.

(ii) For any other relief/reliefs for which the petitioners are entitled in the eye of law.”

3. In support of the aforesaid reliefs, petitioners have submitted representation at Annexure 3 series. Respondent Nos. 2



and 3 have not taken any decision either in accepting or rejecting the petitioners' claim.

4. Learned counsel for the petitioners submitted that similarly situated persons have been extended the benefits pursuant to the judicial pronouncements in C.W.J.C. No. 17151 of 2018 and L.P.A. No. 167 of 2016. In the light of these facts and circumstances, respondent Nos. 1 and 2 are hereby directed to decide petitioners' representation read with the judicial pronouncements within a period of four months from the date of receipt of this order. If the petitioners are not eligible for the relief sought in respect of pay scale, in that event, necessary speaking order shall be passed as to how they are not eligible.

5. With the above observations, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	25.02.2022
Transmission Date	

