

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2590 of 2021

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Shambhu Kumar Pandey, Son of Late Satyadeo Pandey, resident of Village and Post Office Moraul, Police Station Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Mechanical, Water Resources Department, Patna.
4. The Superintending Engineer, Mechanical, Irrigation Mechanical Circle, Water Resources Department, Mithapur, Patna.
5. The Executive Engineer, Mechanical, Field Machinery Division, Water Resource Department, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 04-02-2022

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

In the instant petition, page no. 2 was missing. The petitioner has filed supplementary affidavit in producing page no. 2.

State counsel accept notice for respondents.

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

“1. That the present writ



application is being filed on behalf of the petitioner above named for issuance of appropriate writ/writs, order/orders in the nature of mandamus seeking direction for granting pay scale of Rs. 4000-6000 in place of pay scale Rs. 3050-4500 w.e.f. the date of appointment as lower division clerk in the light of order dated 11.03.2011 passed in CWJC no. 15956/2006 and the consequential monetary benefits and for any other writ/writs, order/orders which the petitioner may found to be entitled in the facts and circumstances of the case.”

In support of the aforesaid relief, petitioner is stated to have submitted representation to the concerned respondent on 23.09.2019 (Annexure-6) but the same has not been considered.

Therefore, the concerned respondent is hereby directed to decide the petitioner’s representation as to whether petitioner is entitled to pay scale of Rs. 4000 to 6000/- with effect from the date of joining as a lower division clerk in the light of order dated 11.03.2011 passed in CWJC No. 15956 of 2006 and further extension of monetary benefits. If the petitioner is entitled, monetary benefits shall be calculated and disbursed to him within a period of three months from the date of receipt of this order, failing which petitioner is entitled to litigation cost and it is quantified @ Rs. 10,000/-. If the petitioner is not otherwise entitled in that event a detailed speaking order shall be passed with reference to service



particulars and communicate the order to the petitioner.

With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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Uploading Date	
Transmission Date	

