

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3850 of 2021

=====

Jay Nandan Kumar son of Ram Ratan Prasad Sinha resident of mohalla-Ram Nagar, PS-Nawadah Town, District-Nawadah

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Secretary Rural Development Department, Government of Bihar, Patna.
3. The District Magistrate, Nawadah
4. The Deputy Development Commissioner-cum-Chief Executive Officer, District Rural Development Agency, Nawadah.
5. The Director, Accounts Administration and Self Employment, DRDA, Nawadah.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Respondent/s : Mr. Vikash Kumar, SC 11

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 31-01-2022

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

2. State counsel accepts notice for respondents.

3. Counsel for the petitioner is hereby directed to furnish hard copy of the writ petition to the counsel for the State/respondents.

4. In the instant petition, petitioner has prayed for the following relief/reliefs:



“i) A writ in the nature of mandamus commanding and directing upon the Respondent concerned specially Respondent No. 4 to pay the differences of salary payable as per 7th pay revision w.e.f. 1.1.2016 in Level-4 revised pay scale in Pay Bank Rs. 5200-20200 (PB-1) with Grade Pay Rs. 2400 in view of Memo No.372452 dated 31.05.2018 issued from level of Rural Development Department of Respondent State till dated of retirement 31.7.2018 which has not been paid as yet.

ii) To pay the differences of contributory provident fund amount with upto-date interest calculating the interest applicable upon General Provident Fund in view of letter No.198161 dated 27.8.14 issued by Respondent Rural Development Department but the same has been paid after elapse of one year calculating the interest of Saving Bank Account contrary to Government decision.

iii) Any other order/orders, direction/directions, writ/writs for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.”

5. Short question for consideration is whether petitioner is entitled to 7th Pay Commission benefits and consequential rates of monetary benefits or not? In this regard, petitioner submitted representation on 29.01.2019 and it is pending consideration before the concerned authority, therefore, the concerned authority/respondent is hereby directed to examine the petitioner's grievance with reference to service particulars read with the scheme of 7th Pay Commission. If the petitioner is otherwise eligible for monetary benefits under 7th Pay Commission, the same shall be disbursed with consequential monetary benefits within a period of three months from the date of receipt of this order.



6. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

