

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3851 of 2021

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Suresh Prasad Son of Laxmi Mahto, R/o Dwarikapuri, Hanuman Nagar, P.S.
Patrakar Nagar, P.O. - Patrakar Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Patna.
2. The Additional Chief Secretary, Department of Finance, Government of Bihar, Patna.
3. The Director, Land Reforms Department, Government of Bihar, Patna.
4. The District Collector, Rohtas.
5. The Circle Officer, Suryapura, District - Rohtas.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav
For the Respondent/s : Mr. Rishi Raj Sinha, SC 19

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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 the respondents.

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

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

“That this is an application for issuance of writ, in the nature of Mandamus and /or any other appropriate writ, order or direction commanding upon the respondents to revised the pension of the petitioner w.e.f. 01.04.2017 because of the increment in pension due to 7th Pay revision and also to



pay the arrear of the pension w.e.f. 01.04.2017 together with the arrear of difference of salary and difference of leave encashment w.e.f 01.01.2009 due to pay fixation by virtual of grant of MACP.”

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 18.06.2020 *vide* Annexure 6 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	

