

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23107 of 2018

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1. Sanjay Kumar Singh, Son of Late Jagdish Prasad Singh, Resident of village- Kalasan, P.o. - Dhuriya Kalasan, P.s.- Chausa, Distt. Madhepura, presently posted as Lower Division Clerk in Collectorate, Madhepura.
 2. Roshan Kumar, Son of Late Jaykrishan Poddar, Resident of village - Haribola, P.o- Sripur Rauta, P.s.- Kumarkhand, Distt. Madhepura, presently posted as Lower Division Clerk at Circle Officer, Shankarpur District Establishment, Madhepura.
 3. Chandrashekhar Gupta, Son of Late Dukhan Sah 'Duhit', Resident of village P.o. - Babhni, P.s.- Gamhariya, Distt. - Madhepura presently posted as Lower Division Clerk at Block Office, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Divisional Commissioner, Koshi Division, Saharsa.
4. The District Magistrate, Madhepura.
5. The Deputy Collector, Establishment, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jyoti Prabhakar, Advocate
For the Respondent/s : Mr. B. B. K. Singh, AC to AG

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-08-2022 Counsel for the petitioners submits that the process for their compassionate appointment was initiated much prior to 20.12.2000. However, they were appointed later on due to delay in process attributable to the employer for which they cannot be made to suffer deprivation of the scale of Rs.4000-6000/-.The petitioners' claims are squarely covered by decision of this Court in the case of Avinash Kumar Chakerwarty & Ors. Vs



The State of Bihar & Ors. passed in LPA No. 167 of 2016.

Counsel for the State is not able to point out how the petitioners' case can be distinguished from the petitioners of LPA No. 167 of 2016. It is submitted that their appointment was done after 20.12.2000.

Writ application is allowed with a direction to respondent no. 4 to consider the petitioners' claim for grant of Scale of Rs. 4,000–6,000 on the grounds of parity with the petitioners who have been allowed their claim in LPA No. 167 of 2016, subject to the same terms and conditions as contained in the said order, for which the petitioners may file representation separately giving details in support of their claim within four weeks along with a copy of this order.

The benefits due and admissible must be granted to the petitioners within eight weeks from the date of receipt/production of representation along with a copy of this order.

(Madhuresh Prasad, J)

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