

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23433 of 2012

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1. Ajit Kumar Purbey Son Of Late Narayan Purbay Resident Of Mohalla - Panjiyar Toli, Ward No. - 11, Near Police Station Rosera, District - Samastipur
 2. Bhupendra Narayan Singh Son Of Late Ramjee Singh Resident Of Village - Thathia, P.O. - Chakwat, P.S. - Rosera, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The Rosera Municipality (Nagar Panchayat), Rosera, District Samastipur, Through its Executive Officer.
3. The Executive Officer, Rosera Municipality Nagar Panchayat, Rosera, District Samastipur.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Kumar Praveen, Advocate
For the State	:	Mr. Sanjay Kumar, A.C. to A.A.G.4
For the Respondent No.2	:	Mr. Abhay Shankar Singh with Mr. Barun Kumar Singh and Mr. Kumar Satyam, Advocates

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 17-08-2022

Heard Mr. Kumar Praveen, learned counsel for the petitioner; Mr. Sanjay Kumar, learned A.C. to A.A.G. 4 for the State and Mr. Abhay Kumar Singh, learned counsel for the respondent no. 2.

2. The petitioner has moved the Court for the following reliefs:

A)” For issuance of a writ in the nature of mandamus directing the respondents to make immediate payment of benefit of revised fifth Pay Commission on the basis of fitment committee report since 01.01.1996 like



Rameshwar Purbey who retired as office Assistant on 31.08.2010 from the service of Respondent no.2 (Rosera Nagar Panchayat); alongwith due interest for the deliberate and intentional delay and latches on the part of respondents with cost.”

B) For any other relief/reliefs to which the petitioners are entitled under the facts and circumstances of the present case.”

3. From the materials on record and after hearing learned counsel for the parties the Court finds that whatever admissible was payable to the petitioner in law has been paid. However, with regard to the implementation of Fifth Pay Revision Commission Recommendation, it shall be open to the petitioner to move before the appropriate forum, in accordance with law, which shall be considered and decided by the said forum.

4. The writ petition stands disposed of.

(Ahsanuddin Amanullah, J)

Ranjeet/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

