

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.445 of 2022

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1. Vijay Kumar Son of Late Mansukh Resident of Village- Kater, P.O.- Itasar Bazar, P.S.- Piro, District- Bhojpur.
 2. Sandeep Kumar Son of Nand Kushore Pandey Resident of Village and P.O.- Bithuna, P.S.- Bansalpur, District- Siwan.
 3. Md. Shabaz Alam Son of Late Abdul Alim Ansari Resident of Ghazipur (Ibrahimpur), P.S.- Tarapur, District- Munger.
 4. Jitendar Kumar Son of Sidheshwar Prasad Resident of Flat No. 504, Block-D, Newton Garden Apartment, Murlichak, Jagdeo Path, P.S.- Hawaii Adda, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director General of Police (DGP), Bihar, Patna.
5. The Additional Director General of Police, CID, Bihar, Patna.
6. The Director, Forensic Science Laboratory, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Advocate
For the Respondent/s : Mr. P.K. Verma (AAG 3)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 15-02-2022

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

Learned State counsel accepts notice for respondent nos.

1 to 6.

Learned counsel for the petitioners is hereby directed to serve a copy of the petition to learned counsel for the State if it not already served.



In the instant petition, petitioners have prayed for the following relief(s):-

“(A). For issuance of an appropriate writ/writs, order/orders, direction/directions to the concern respondent authorities for the following reliefs: A. For issuance of writ in nature of mandamus to the respondent authority to remove discrimination and provide parity in pay-scales to the petitioners who are Bihar Government employee, working on the post of the Assistant Director (Pay Scale PB-2-9300-34800, Grade Pay- 4600, Level-7), Forensic Science Laboratory (FSL), Bihar; Patna vis-a-vis the Central Government employee working on same and similar post of Assistant Director (Pay Scale PB-3-15600-39100, Grade Pay-6600,Level-11),Central Forensic Science Laboratory, on the basis of the principle of "equal pay for equal work" where persons basic entry educational qualification for the post are same and similar and discharging identical duties, cannot be treated differently, in the matter of their pay scale, merely because they belong to State Government employee.

(B). And for any other reliefs/reliefs for which the petitioners are found to be entitled under the provision of law involved in the present case.”

In support of the aforesaid relief petitioners have submitted representations dated 08.10.2021 and 09.10.2021 vide Annexure-8 series.



Perusal of the aforesaid representations *vide* Annexure-8 series it is evident that the same is not addressed to the Principal Secretary, Finance Department, respondent no. 3 who is competent authority to redress the grievance of the petitioners since the petitioners are stated to be Class-II Officer.

Therefore, the petitioners are hereby directed to submit a detailed representation to the Principal Secretary, Finance Secretary, Government of Bihar, respondent no. 3 within a period of eight weeks from today. If such representation is submitted the Principal Secretary, Finance Department, Government of Bihar, respondent no. 3 is hereby directed to redress the petitioners' grievance in the light of Annexure-8 read with each of the petitioners' service particulars in passing speaking order. If the petitioners are entitled in that event their grievance shall be redressed within a period of three months from the date of receipt of petitioners' representation.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

