

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1129 of 2022**

Md. Shafi Alam Son of Late Serajuddin Ansari, resident of Koini Ansari Tola,  
Post - Koini, Police Station- Manjhagarh, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Director, Health Services, Bihar, Patna.
4. The District Magistrate, Gopalganj.
5. The Chief Medical Officer-cum-Civil Surgeon, Gopalganj.
6. The Deputy Collector, Establishment, Collectorate, Gopalganj.
7. The Regional Deputy Director, Health Services, Saran Division, Chapra.
8. The Deputy Superintendent, Sub-Divisional Hospital, Hathua, Gopalganj.
9. The Treasury Officer, Collectorate, Gopalganj.

... .. Respondent/s

**Appearance :**

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|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr.Gyan Prakash           |
| For the Respondent/s | : | Mr.Mujtabaul Haque (Gp12) |
|                      |   | Mr.Pranay Kumar           |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      20-01-2023                      Heard learned counsel for the parties through video conferencing.

The writ application has been filed for commanding the respondents to grant the petitioner parity in pay-scale of Rs. 4000-100-6000, grade pay of Rs.2400 as the similarly appointed Clerk in other department of the State Government have been granted the same, vide Annexure 7 series in the light of order dated 23.06.2017 passed by a Division Bench of this Court



passed in L.P.A. No. 167 of 2016, arising out of C.W.J.C. No. 1498 of 2011 (Annexure – 8) and order dated 09.07.2021 passed in C.W.J.C. No. 188 of 2021 (Annexure – 9).

Learned counsel for the petitioner submits that issue has already been settled by a Division Bench of this Hon'ble Court, vide order dated 23.06.2017 passed in L.P.A. No. 167 of 2016 (Annexure – 8) and as such, he requests that this case may also be disposed of in terms of aforesaid order.

Learned counsel for the State does not oppose the submission advanced by learned counsel for the petitioner.

Considering the same, the writ application is disposed of in terms of order passed in L.P.A. No. 167 of 2016 and the petitioner is directed to be paid the benefit in the pay-scale of Rs. 4000-100-6000 with grade pay of Rs.2400/- retrospectively with effect from the date of appointment. However, arrears salary of the petitioner are only to be granted with effect from the date of filing of this writ application i.e. 24.01.2022.

With above observation and direction, the writ application stands allowed.

**(Prabhat Kumar Singh, J)**

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