

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5280 of 2023

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1. Dhiraj Kumar Son of Mahabir Prasad Yadav Resident of Lohiya Naar, Ward No.-9, P.S. Supaul, District-Supaul-852131.
 2. Alok Ranjan Son of Ram Sahay Singh Resident of Gayatri Niwas, Road No.-8, Sanjay Nagar, P.S. Jakkampur, District-Patna-800001.
 3. Vipaschit Kumar Madhukar Son of Murlidhar Singh Resident of 27 Angra, P.S. Angra, District-Gaya, Bihar-824116.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
4. The Chairman, Bihar Rajya Pul Nirman Nigam Limited, Bihar, Patna.
5. The Managing Director, Bihar Rajya Pul Nirman Nigam Limited, Bihar, Patna.
6. The F.A. Cum C.A.O., Bihar Rajya Pul Nirman Nigam Limited, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Siddhartha Prasad, Advocate
For the State	:	Mr.Manoj Kr. Ambastha (Sc26)
		Mr.Tripurari Nath Ambastha, AC to SC-26
For the BRPNNL	:	Mr.Md.Nadim Seraj, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 08-11-2023

1. The present writ petition has been filed primarily for quash-
ing the order dated 08/09.07.2021, passed by the Managing Di-
rector, Bihar State Bridge Construction Corporation Limited
(hereinafter referred to as the ‘Corporation’), whereby and
whereunder the prayer of the petitioners for grant of Level-7 in



the new pay matrix of 7th PRC in the Pay Band of Rs. 9300 - Rs. 34800 with entry Pay at Level-7 of Rs. 4600/-, has been rejected.

2. The short issue, raised by the learned counsel for the petitioners, is that a two-line order has been passed rejecting the claim of the petitioners and others, who are working as Commercial Assistant with the respondent-Corporation, with regard to grant of Level-7 in the new pay matrix of 7th PRC in the Pay Band of Rs. 9300 - Rs. 34800 with entry Pay at Level-7 of Rs. 4600/- and no reason whatsoever, has been furnished therein.

3. The Ld. counsel appearing for the respondent-Corporation has though vehemently opposed the prayer made by the writ petitioners, however, he is not in a position to show that the aforesaid order dated 08/09.07.2021, is a reasoned and a speaking order much less the same spells out the ground on which the Managing Director of the respondent-Corporation has arrived at a decision to deny the commercial assistants, the pay scale in Level-7 of the 7th PRC pay scale, equivalent to unrevised pay-band of Rs.4200/-.

4. I have heard the learned counsels for the parties and perused the materials on record and I find from a bare perusal of the aforesaid order dated 08/09.07.2021, that the same is a cryptic



and an unreasoned order, which does not furnish any cogent, clear or succinct reasons in support of the same, which is an indispensable component of a decision making process, hence, the impugned order dated 08/09.07.2021 stands vitiated in the eyes of law, thus the same is liable to be set aside. Reference in this connection be had to a judgment rendered by the Hon'ble Apex Court in the case of **Oryx Fisheries (P) Ltd. Vs. Union of India**, reported in **(2010) 13 SCC 427**.

5. Having regard to the facts and circumstances of the case and for the reasons mentioned hereinabove, though I deem it fit and proper to quash the aforesaid order dated 08/09.07.2021, passed by the Managing Director of the respondent-Corporation, however, I consider it appropriate to remand the matter back to him for reconsidering the lis afresh. It is needless to state that the Managing Director of the respondent-Corporation shall be obliged to pass a reasoned and a speaking order, in accordance with law, within a period of four weeks of receipt/production of a copy of this order, after giving an opportunity of hearing to the petitioners. Any consequential order, issued/passed by the respondents, pursuant to passing of the impugned Order dated 08/09.07.2021 by the Managing Director of the respondent-Corporation, are also set aside, as a consequence of quashing of the



impugned order dated 08/09.07.2021.

6. The writ petition stands allowed.

(Mohit Kumar Shah, J)

Saurav/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2023
Transmission Date	NA

