

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6556 of 2023

1. Sanjeev Kumar Verma S/o- Lt. Avinash Kumar Verma Resident Of Village and P.O.- Raja Pakar, Dist- Vaishali, Pin- 844124 Presently Working As-P.H Division(Civil), Sitamarhi, Designation- LDC Under P.H.E.D, Bihar, Patna.
2. Pankaj Kumar Jha, S/o- Lt. Basudev Narayan Jha, Resident Of Village and P.O- Partappur, Dist- Muzaffarpur, Pin- 843106 Presently Working As- P.H Division(Civil), Muzaffarpur, Designation-UDC, Under P.H.E.D, Bihar, Patna.
3. Satyapal S/o- Lt. K.k Singh Resident Of Vill- Khaderpura, P.O.- Daudpur, P.S.- Paroo Dist- Muzaffarpur, Pin- 841205 Presently Working As- P.H Division(Civil), Muzaffarpur, Designation- UDC, Under P.H.E.D, Bihar, Patna.
4. Amit Sharan S/o- Lt. Arbind Nath Sharan Resident Of Vill and P.O- Rambagh Chouri Ward No. 46, H.N.-110, PO- Ramna, PS- Mithanpura Dist- Muzaffarpur, Pin- 842002 Presently Working As- P.H Circle (Civil), Muzaffarpur, Designation- UDC Under P.H.E.D, Bihar, Patna
5. Santosh Kumar S/o. Lt. Radha Singh Resident Of Vill and PO Gangi Chhapra, PS Minapur, PO Lautan, Dist Muzaffarpur, Pin- 843117 Presently Working As P.H Division(Civil), Motipur, Designation UDC Under PH.E.D, Bihar, Patna.
6. Santosh Kumar S/o- Lt. Uma Kant Pandey Resident Of Vill. and P.O- House No.1 Vijay Nagar, Rukunpur, Patna, Dist- Patna, Pin- 800014 Presently Working As P.H Division(Civil), Sitamarhi Designation LDC Under P.H.E.D, Bihar, Patna
7. Seema Kumari S/o. Lt. Lal Bahadur Prasad Singh Resident Of Vill and P.O Gogiyara Tola, Dist Darbhanga, Pin- 847303 Presently Working As P.h Division(Civil), Sheohar., Designation- LDC Under P.H.E.D, Bihar, Patna.
8. Hridayesh Kumar S/o-Lt. Shashi Bhushan Singh Resident Of Vill- Beluar Chaudhary Tola, PO- Anirul Belsar, PS- Saraiya. Dist- Muzaffarpur, Pin- 844111 Presently Working As P.h Division(Civil), Muzaffarpur, Designation- UDC Under P.H.E.D, Bihar, Patna
9. Ashwani Kumar S/o-lt. Hari Narayan Pd. Singh, Resident Of Vill and P.o- Surhatha, Bibipur, Dist- Vaishali, Pin- 844111 Presently Working As- P.h Division(Civil), Muzaffarpur, Designation- LDC Under P.H.E.D Bihar, Patna.
10. Manish Kumar S/o- Lt. Ram Pukar Chaudhary Resident of Vill and P.O.- Premgani, Lalganj, Dist- Vaishali, Pin- 844121 Presently Working As-P.H Division(Civil), Sitamarhi, Designation- LDC Under P.H.E.D, Bihar, Patna.
11. Vijay Kumar S/o-lt. Lakhindra Chaudhary Resident Of Vill and P.O.- Raksha, Raksha, Block- Marwan, PS-Karja, Dist- Muzaffarpur, Pin- 843109 Presently Working As- P.H Division (Civil), Sheohar, Designation- LDC Under P.H.E.D, Bihar, Patna.
12. Suresh Kumar S/o- Lt. Chote Lal Ram Resident Of Vill and P.O- Mahmada, Pusha, Dist- Samstipur, Pin- 848125 Presently Working As PH Division(Civil), Sheohar, Designation-LDC Under P.H.E.D, Bihar, Patna



13. Sunil Kumar Pandey S/o Ramchandra Pandey Resident Of Vill And P.O- Shorampur, PS- Janipur, Phulwari Sharif, Dist- Patna, Pin 801505 Presently Working As PH Circle (Civil). Muzaffarpur, Designation- LDC, Under P.H.E.D Bihar Patna
14. Dhiraj Kumar S/o- Late Kewal Singh, Resident Of Vill And P.O- Byaschak And Goural, Dist- Vaishali, Pin- 844118 Presently Working As- P.H. Division, Muzaffarpur(Civil), Designation-LDC Under P.H.E.D Bihar Patna.
15. Pankaj Kumar, S/o- Late Binod Lal Resident Of Vill And P.O- Kharka, Dist- Sitamarhi, Pin- 843318 Presently Working As- P.H. Circle(Civil), Muzaffarpur, Designation UDC Under P.H.E.D Bihar Patna.
16. Ravi Ranjan Singh S/o-late Ram Parvesh Singh Resident Of Vill And P.O- Rahsa, Bhagwanpur, Dist-Vaishali, Pin- 844118 Presently Working As- P.H.circle(Civil), Muzaffarpur, Designation- LDC Under P.H.E.D Bihar Patna.
17. Rajesh Parsad S/o- Late Yogendra Singh Resident Of Vill And P.O- Baidhnathpur Urf Khanpur And Mirzapur, Dist- Muzaffarpur, Pin- 843103 Presently Working As- P.H. Division(Civil), Muzaffarpur, Designation- LDC Under P.H.E.D Bihar Patna.
18. Nagendra Chaudhary S/o- Late Ram Swarup Chaudhary Resident Of Vill- Chhoti Marai Dhanauti, P.O- Hajipur, Dist-Vaishali, Pin- 844101 Presently Working As- P.H. Division(Civil), Muzaffarpur, Designation- UDC Under P.H.E.D Bihar Patna.
19. Amod Kumar Sinha S/o Late Prem Kumar Sinha, Resident Of Vill- Jahangirpur Sham, P.O- Mamrejpur, Dist- Vaishali, Pin-844504 Presently Working As PH. Division, Hajipur(Civil), Designation LDC Under P.H.E.D Bihar Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Department of Finance, Government of Bihar, Patna.
4. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar.
5. The Engineer-in-Chief-Cum-Additional Secretary-cum-Special Secretary, Public Health Engineering Department, Government of Bihar, Patna.
6. The Chief Engineer (Mechanical), Public Health Engineering Department, Bihar, Patna.
7. The Chief Engineer, Public Health Engineering Department, Patna Zone, Patna.
8. The Superintending Engineer, Public Health Engineering Department, Mechanical Circle, Muzaffarpur, District- Muzaffarpur.

... .. Respondent/s



Appearance :

For the Petitioners : Mr. Nikhil Kumar Agrawal, Advocate
Ms. Aditi Hansria, Advocate
For the State : Mr. Raghwendra Kumar, SC-22

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-09-2023 1. Heard learned counsel for the petitioners and
learned counsel for the State.

2. The petitioners, lower division clerks, are in the
pay scale 5200-20200 carrying grade pay 1900. It is their
grievance that others similarly situated have been allowed the
pay scale 5200-20200 carrying grade pay 2400. The petitioners
claim parity with the beneficiaries of such pay scale based on
decision of this court passed in the case of *Biresh Kumar Singh
& Ors. vs. The State of Bihar & Ors.* in *CWJC No. 14664 of
2016*.

3. It is submitted by learned counsel for the
petitioners that relying upon earlier decision of this court in the
case of *Binit Kumar & Ors. versus The State of Bihar & Ors.*
arising out of *CWJC No. 9921 of 2017*, the benefit has been
granted. The petitioners' claim for the same benefit made before
Respondent No. 8 vide Annexure-10 series, however, is yet to
be considered.

4. Since the issue is only of consideration of
petitioners' claim for parity and no adjudication is called upon,



the matter need not be kept pending.

5. Learned counsel for the petitioners submits that the petitioners will be making fresh representation before Respondent No. 8.

6. Learned counsel for the State has no objection with filing of such representation.

7. This court would direct that if the petitioners file the representation along with a copy of this order within four weeks, Respondent No. 8 would be under a legal obligation to take a final decision on the petitioners' representation and grant benefits found due and admissible within eight weeks thereafter.

8. Writ application is disposed of.

(Madhuresh Prasad, J)

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