

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6667 of 2023

1. Aditya Ranjan son of Late Chandrika Prasad working as Clerk in Combined Food Drug Laboratory, At Agamkuan, P.S.- Alamganj, District-Patna.
2. Deepak Kumar son of Late Raghunandan Ram working as Clerk in Combined Food and Drug Laboratory, Agamkuan, P.S.- Alamganj, District-Patna.
3. Govinda Kumar son of Late Devendra Prasad working as Clerk in Combined Food and Drug Laboratory, At Agamkuan, P.S. Alamganj, District- Patna.
4. Ravi Anand son of Late Nand Kumar working as Clerk in Bihar Drug Control Laboratory, At Agamkuan, P.S.- Alamganj. District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Director-in-Chief, Disease Control, Health Department Government of Bihar, Patna.
2. The Director-in-Chief Disease Control, Health Department, Government of Bihar, Patna.
3. The Officer in-charge-cum- DDO Combined Food and Drug Laboratory at Agamkuan, P.S.- Alamganj, District- Patna.
4. The Officer in-charge-cum- DDO, Bihar Drug Control Laboratory at Agamkuan, P.S.- Alamganj, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Amaresh Kumar Singh, Advocate
For the State	:	Mr. S.D. Yadav, AAG-9
		Mr. Braj Bhushan Mishra, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-10-2023 1. Heard learned counsel for the petitioners and
learned counsel for the State.

2. Learned counsel for the petitioners submits that the
petitioners were appointed after 28.09.1999 in the clerical cadre.

It is submitted that they are entitled to the scale of Rs. 4,000-
6,000, as modified from time to time in terms of decision/s



rendered by Division Bench of this High Court in the case of ***Avinash Kumar Chakerwarty & Ors. vs. The State of Bihar and Ors.*** passed in ***LPA No. 167 of 2016***, as well as decision rendered by a coordinate bench in the case of ***Binit Kumar and Ors. versus The State of Bihar and Ors.*** passed in ***CWJC No. 9921 of 2017***, and decision of Division Bench in the case of ***State of Bihar & Ors. Vs. Biresh Kumar Singh & Ors.*** recently decided in ***LPA No. 766 of 2019***. For the claimed benefit, they have approached the Director-in-Chief, Disease Control, Government of Bihar, Patna (Respondent No. 2) by filing representation (Annexure-8 series to the writ petition) and the claim is pending consideration.

3. In view of the grievance raised by the petitioners, the claim based on parity is yet to be considered by the Director-in-Chief, Disease Control, Government of Bihar, Patna (Respondent No. 2). The court, therefore, is not called upon to adjudicate any issue at present.

4. The petitioners' representation (Annexure-8 series to the writ petition) is required to be considered and disposed of by the Director-in-Chief, Disease Control, Government of Bihar, Patna (Respondent No. 2) by a reasoned and speaking order. The decision is required to be taken positively within eight



weeks from the date of receipt/production of a copy of this order along with a copy of petitioners' representation (Annexure-8 series to the writ petition). If dues are found admissible, it is needless to say, that the petitioners must be paid the same within a period of eight weeks thereafter.

5. Writ petition is accordingly disposed of.

(Madhuresh Prasad, J)

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