

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.973 of 2016

In
Civil Writ Jurisdiction Case No.7679 of 2014

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1. The State of Bihar through Agriculture Production Commissioner, Bihar, Patna.
 2. The Principal Secretary, Finance Department, Old Secretariat, Patna.

... .. Appellant/s

Versus

1. Kaushal Kishore, son of Late Jawaharlal Gupta, resident of Village- Jaintpur, P.S- Saraiya, and District- Muzaffarpur.
2. Kaushal Kishore Giri son of Late Dewan Giri, resident of village- Krishnapur, Baikunthpur, P.S.- Warishnagar, District- Samastipur.
3. Sanjeev Kumar Trivedi son of Late Uma Trivedi, resident of Village- Harpur Pusa, P.S.- Pusa, District- Samastipur.
4. Ram Kumar Ram, son of Late Sita Ram Ram, Police Station- Dariyapur, District- Saran.
5. Ram Lalit Rai, son of Late Pharhari Lal Rai, resident of Village- Dubaha, Police Station- Sakara, District- Muzaffarpur.
6. Ganesh Giri, son of Sri Bisheshwar Giri, Police Station- Piyar, District- Muzaffarpur.
7. Chandeshwar Prasad, son of Late Rudal Prasad, resident of Mahanth Manihari, Poce Station- Mahanth Manihari, District- Muzaffarpur.
- 8.1. Makhiya Devi Wife of Late Swarath Paswan, Resident of Village-Makinpur Etaha, P.S.-Sakara, District-Muzaffarpur.
- 8.2. Manoj Paswan, son of Late Swarath Paswan, Resident of Village-Makinpur Etaha, P.S.-Sakara, District-Muzaffarpur.
- 8.3. Amarjeet Paswan, Son of Late Swarath Paswan, Resident of Village-Makinpur Etaha, P.S.-Sakara, District-Muzaffarpur.
- 8.4. Chintranjan Kumar, son of Late Swarath Paswan, Resident of Village-Makinpur Etaha, P.S.-Sakara, District-Muzaffarpur.
- 9.1. Injira Devi, Wife of Late Vijay Kumar Thakur, resident of Village-Bel Mohan, P.S.-Ghoghardiha, District-Madhubani.
- 9.2. Rajiv Kumar Thakur, son of Late Vijay Kumar Thakur, resident of Village-Bel Mohan, P.S.-Ghoghardiha, District-Madhubani.
- 9.3. Nitish Prabhakar, son of Late Vijay Kumar Thakur, resident of Village-Bel Mohan, P.S.-Ghoghardiha, District-Madhubani.
- 9.4. Ved Prakash, Son of Late Vijay Kumar Thakur, resident of Village-Bel Mohan, P.S.-Ghoghardiha, District-Madhubani.
10. Sanjeev Kumar son of Late Satya Narain Prasad Verma, resident of village-Madhurapur Tanra, P.S. Kalyanpur, District- Samastipur.
11. Arun kumar son of Late Brahmdeo Poddar, resident of village- Maudah



Buzurg, Police Station- Patepur, District- Vaishali.

12. Ramesh Kumar Jha, son of Sri Kusheshwar Jha, Resident of Village- Mishrauli, Police Station- Chandan Patti, District- Muzaffarpur.
13. Ramdeo Rai, son of Late Jadu Rai, resident of Village- Harpur Pusa, Police Station- Pusa, and District- Samastipur.
14. Sayyadi Khatoon, wife of Late Tufail Ahmad, resident of Village-Rampur
1. Bakhari, P.S.-Mahmada, District-Muzaffarpur.
14. Ekbal Ahmad, son of Late Tufail Ahmad, resident of Village-Rampur
2. Bakhari, P.S.-Mahmada, District-Muzaffarpur.
14. Ehsan Ahmad, son of Late Tufail Ahmad, resident of Village-Rampur
3. Bakhari, P.S.-Mahmada, District-Muzaffarpur.
14. Talat Tazeen, Daughter of Late Tufail Ahmad, resident of Village-Rampur
4. Bakhari, P.S.-Mahmada, District-Muzaffarpur.
15. Sita Ram Thakur, son of Late Yugeshwar Thakur, resident of village- Devpur, Police Station- Pusa and District- Samastipur.
16. Pawan Kumar Mishra, son of Sri Ram Autar Mishra, resident of village- Chand Chour Jajee Tol, Police Station- Mishra Tol, District-Samastipur.
17. Surendra Mahto, son of Late Rameshwar Mahto, resident of village- Ram Paran, P.O.- Jagdish Paran, P.S.- Chakmehsi, District- Samastipur.
18. Satendra Thakur, son of Late Sarjug Thakur, resident of village- Malinagar Simri, Police Station- Pusa, District- Samastipur.
19. Mishri Lal Paitee, son of Late Devi Lal Paitee, resident of Village- Harpur Pusa, Police Station- Pusa, and District- Samastipur.
20. Ram Narayan Thakur, son of Late Ram Lakhan Thakur, resident of village- Mahmaddpur Deopar, Police Station- Pusa, District- Samastipur.
21. Md. Nafey, son of Late Jafribul Hasan, resident of village- Jitwarpur Chauth, P.S.- Jitwar Pur Chauth, P.S.- Samastipur, District- Samastipur.
22. Lakshman Sahu, son of Late Jharokhi Sahu, resident of Village- Laxmipur, Post Office- Telhan, District- Darbhanga.
23. Mahesh Rajak son of Late Munshi Rajak, resident of Mohalla- Pathai Mahmaddpur, P.S.- Sadar Muzaffarpur, District- Muzaffarpur.
24. Manavasi Devi, Wife of Late Ramjas Singh, resident of Village-Jamuab,
1. P.O.-Barsara, District-Gazipur (Uttar Pradesh).
24. Dinesh Kumar Singh, son of Late Ramjas Singh, resident of Village-Jamuab,
2. P.O.-Barsara, District-Gazipur (Uttar Pradesh).
24. Mahesh Kumar Singh, son of Late Ramjas Singh, resident of Village-
3. Jamuab, P.O.-Barsara, District-Gazipur (Uttar Pradesh).
24. Alok Kumar Singh, son of Late Ramjas Singh, resident of Village-Jamuab,
4. P.O.-Barsara, District-Gazipur (Uttar Pradesh).
25. Zayaul Haque, son of Late Md. Suleman, resident of Village- Rajapur, Police Station- Chandanpatti, District- Muzaffarpur.
26. Sanjiv Kumar, son of Late Chit Ranjan Prasad, resident of Mohalla-Khadi
1. Bhandar, Goushala Road, P.S. Sadar Muzaffarpur, District-Muzaffarpur.



27. Pavitari Devi, Wife of Late Rajendra Paswan, resident of Village-Mahmada, 1. P.S.-Pusa, District-Samastipur.
27. Shivshankar Paswan, son of Late Rajendra Paswan, resident of Village- 2. Mahmada, P.S.-Pusa, District-Samastipur.
27. Jayshankar Kumar Paswan, son of Late Rajendra Paswan, resident of 3. Village-Mahmada, P.S.-Pusa, District-Samastipur.
28. Ram Basisth Rai, son of Late Jagannath Rai, resident of village- Harpur Pusa, P.S.- Pusa, District- Samastipur.
29. Rajnandan Mehta, son of Late Basu Lal Mehta, resident of village- Simri Gopal, Police Station- Pusa, District- Samastipur.
30. Umesh Prasad Thakur, son of Late Radheshwar, Thakur resident of village- Simri Gopal, Police Station- Pusa, District- Samastipur.
31. Arjun Mishra, son of Sri Ramadhar Mishra, resident of Village- Dudhpura, Police Station- Samastipur, District- Samastipur.
32. Ram Singhashan Rai, son of Late Desu Rai, Resident of village- Harpur, Pusa, Police Station- Pusa, District- Samastipur.
33. Binod Kumar Mishra, son of Late Yogendra Mishra, resident of village- Madhurapur Tanra, Police Station- Kalyanpur, District- Samastipur.
34. Akhilesh Kumar, son of Late Bhanu Mahto, resident of village Patepur Gopinath, Police Station- Pusa District- Samastipur.
35. Nagendra Prasad Singh, son of Late Praduman singh, resident of village- Indraz, Police Station- Jakhim, District- Aurangabad.
36. Sanjay Kumar, son of Late Bindeshwar Prasad Singh, resident of village- Khairwadarp, Police Station- Khairwadarp, District- Sheohar.
37. Sukhdeo Prasad, son of Late Biran Prasad. resident of village- Sarshopahi, Police Station- Pahi and District- Madhubani.
38. Vijay Kumar Mishra, son of Late Bindeshwar Mishra resident of village- Mahamadpur, Birauli, Police Station- Pusa, District- Samastipur.
39. Md. Arashad Ahmad, son of Late S.A. Jubair, resident of village- Sherghati, Kazi Mohalla, Police Station- Sherghati, District- Gaya.
40. The Rajendra Agriculture University, Bihar, PUSA, Samastipur through its Registrar having its office at PUSA, Samastipur.
41. The Vice-Chancellor, Rajendra Agriculture University, Bihar, PUSA, Samastipur.
42. The Director Administration, Rajendra Agriculture University, Bihar, PUSA, Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Pankaj Kumar Singh
For the Respondent/s	:	Mr. Ashok Kumar Choudhary, Sr. Advocate Mr. Gajendra Singh, Advocate Mr. Nishant Ankit, Advocate
For the State	:	Mr. Sarvesh Kumar Singh, AAG-13



Mr. Tej Pratap Singh, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 28-03-2023

In the instant Letters Patent Appeal, appellants have assailed the order passed in C.W.J.C. No. 7679 of 2014 dated 04.05.2015. The aforementioned writ petition was decided in the light of order passed in C.W.J.C. No. 15661/2014 decided on 07.04.2015. In C.W.J.C. No. 15661 of 2014 was subject matter of Letters Patent Appeal No. 766 of 2016 and connected Letters Patent Appeals were decided on 24.01.2023. Therefore, the present Letters Patent Appeal stands disposed of in the light of the order passed in Letters Patent Appeal 766 of 2016.

Learned counsel for the respondents submitted on instruction that contesting respondents were holders of the post of clerk/head clerk, in that event, the concerned official appellant is hereby directed to examine with reference to service record so as to determine whether contesting respondents were holders of the post of clerk/head clerk or not? If they were holding the post of clerk or head clerk in that event, upgradation of pay scale in terms of the policy be extended to such of those contesting respondents (deceased employees). If they are entitled necessary monetary calculation shall be made and disbursed in favour of the legal heirs



or contesting respondents. The above exercise shall be completed within a period of four months from the date of receipt of this order.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

kamlesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10.04.2023
Transmission Date	N/A

