

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7430 of 2023

Prabhakar Mishra Son of Sri Jamuna Mishra, Resident of Village-
Barkarajpur, Ward No.-08, Rajpur Kalan, P.S.- Simari, District- Buxar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Home (Special) Department, Government of Bihar, Patna.
2. The Collector, Buxar.
3. The Superintendent of Police, Buxar.
4. The Circle Officer, Simari, Buxar.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan Kr. Pandey, Advocate
For the Respondent/s	:	Mr. Md. Nasrul Huda Khan, SC-1 Mr. Md. Irshad, AC to SC-1

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 18-09-2023

Heard Mr. Rajiv Ranjan Kumar Pandey, learned counsel appearing on behalf of petitioner and Mr. Md. Irshad, learned AC to SC-1 for the State.

2. Learned counsel appearing on behalf of the petitioner submits that petitioner has not been given due financial upgradation as a result of stagnation of the same post from time to time on account of time bound promotion and grant of ACP and MACP to which the petitioner is entitled for. Admittedly, the petitioner have retired from the post of Dafadar. The last pay slip of the petitioner reveals that the petitioner was drawing Rs. 31,100/- , however, the pension of the petitioner has been fixed on lower pay scale. Learned counsel further submits



that the manner in which the sanctioning authority has reduced the pension amount of the petitioner without giving any opportunity to him in accordance with law. In these backgrounds, learned counsel seeks to file a detailed representation before the Circle Officer, Simari, Buxar (Respondent No.4), who has intentionally, just to harass the petitioner, has fixed the pension of the petitioner on much lower pay scaly.

3. In view of the above submission, the petitioner, if so advised, may file a detailed representation before the respondent no.4, who is required to verify the records relating to the petitioner from the concerned authority, where the petitioner was employed, and take a final decision with respect to the claim, as has been made in the present writ petition as well as in the representation within a period of six weeks and make payment within stipulated period fixed by him.

4. In case the petitioner finds that the Circle Officer, Simari, Buxar (Respondent No.4) shows inaction on his representation, he may agitate the issue before the District Magistrate-cum-Collector, Buxar, who will call for the records of the petitioner and examine the same on his own and grant relief in accordance with law by directing the Circle Officer not to



harass the petitioner further. The above exercise is directed to be concluded within six weeks from the date of passing of the order.

5. With the above observations and directions, the present writ petition stands disposed of.

(Purnendu Singh, J)

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Uploading Date	
Transmission Date	

