

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5622 of 2018

1. Jwala Prasad Singh and Ors S/o Late Nand Kishore Singh, resident of Village- Nirpur, Post- Ram Nagar Karari Kachhar, P.S.- Athmalgola, Sub. Barh, District- Patna.
2. Mithilesh Kumar Tiwari, S/o Late Ram Bharat Tiwari, resident of Village- Shekhpur, Post Dhelban, P.S. Ramkrishan Nagar, District- Patna.
3. Raj Kishor Prasad, S/o Late Ramchandra Prasad, resident of Aanand Bazar, Post Danapur Cant, District Patna- 801503.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, General Administrative Department, Govt. of Bihar, Patna.
3. Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna.
4. Principal Secretary, Industry Department, Vikash Bhawan, New Secretariat, Patna.
5. Director of Industry, Industry Dept. Vikash Bhawan, New Secretariat, Patna.
null null
6. Under Secretary, Industry Department, New Secretariat, Patna.
7. The Chairman, Bihar Industrial Area Department Authority Udhog Bhawan, East Gandhi Maidan, Patna.
8. Managing Director, Bihar Industrial Area Department Authority, at Udyog Bhawan, East Gandhi Maidan,
9. Secretary, Bihar Industrial Area Department Authority, at Udyog Bhawan, East Gandhi Maidan, Patna.
10. Executive Director Regional Office Patliputra, Industrial Estate, Patna, Bihar Industrial Area Dev null null
11. Rajesh Kumar, Law Officer, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi M
12. Harsh Kausal, Assistant Law Officer, Bihar Industrial Area Development Authority, Udyog Bhawan, Ea
13. Sanjeet Kumar, Bihar Industrial Area Development Authority, Udyog Bhawan, East Gandhi Maidan, Patn
14. Ravi Ranjan, Development Officer, Regional Officer, Large Industrial Estate Barari, Bhagalpur.
15. Manu Ram, Clerk At Head Quarter, Bihar Industrial Area Development Authority, Udyog Bhawan, East Ga
16. Shubh Narayan Lal, Clerk, Employee of Bihar Industrial Area Development, Bihar, Patna.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Mahesh Prasad Singh, Adv.
For the Respondent/s : Mr. Rajiv Roy- GP1

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-11-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed by the petitioners for directing the respondent to consider and promote them on the post of Assistant and subsequent higher post in the hierarchy of Assistant like Assistant, Sectional Officer and Under Secretary and so on and to give the consequential benefits of revised scale like Respondent Nos. 15 & 16.

3. Counsel for the petitioners submits that petitioner nos. 1 and 2 were appointed on the post of Routine Clerk in Patna Industrial Area Development Authority on 24.05.1995. Petitioner No.1 was superannuated on 31.01.2015 and petitioner no.2 was superannuated on 2nd September, 2017 whereas petitioner no.3 was appointed and promoted on the post of Routine Clerk by office order dated 30.03.1991 in Patna Industrial Area Development Authority.

4. The claim of petitioner no.1 and petitioner no.2 is that their first A.C.P. is due from the 24.05.2007 whereas the first A.C.P. of petitioner no.3 is due from 30.03.2003. They further claim that on the basis of entitlement, the 1st A.C.P. of



petitioner no.1 is for Rs.4500 to 7000 with effect from 30.03.2003 and entitled for further scale of Rs.5500 to 9000 with effect from 24.05.2007.

5. Upon perusal of the record, it transpires to this Court that the claim of petitioner nos. 1, 2 and 3 are different. Therefore, it is directed to the petitioners that they shall file fresh writ petition with their individual claim and prior to filing fresh writ petition, they are directed to file their representation before the BIADA (Bihar Industrial Area Development Authority) explaining all the facts in detail as well as the relief. Upon receiving the representation, the BIADA Authority shall pass reasoned and speaking order within **9 months**. After passing the order. if the petitioners have still grievances then all the petitioners of the present writ petition shall file their individual writ petition.

6. With the aforesaid direction, the present writ application is hereby disposed of.

(Dr. Anshuman, J.)

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