

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5 of 2021

In
Civil Writ Jurisdiction Case No.19232 of 2019

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1. Kailash Ram, Son of Shyam Lal, Resident of Mohalla-Gardanibagh Back Harding Road, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
 2. Kedar Shah, Son of Darbari Shah, Resident of Mohalla-Kedawaipuri I.A.S. Colony, Quarter No. 14, P.O.-G.P.O., P.S.-Kotwali, Dist-Patna.
 3. Jawahar, Son of Late Ram Ishwar, Resident of Mohalla-Yarpur Domkhana, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
 4. Most. Soni Devi, Wife of Late Ram Ishwar, Resident of Mohalla-Yarpur Domkhana, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
 5. Ashok Ram, Son of Late Swami Ram, Resident of Mohalla-R. Block Harding Road, P.O. G.P.O., P.S.-Sachivalaya Patna, Dist-Patna.
 6. Raju Kumar, Son of Late Pramodh Kumar, Resident of Mohalla-Bhawar Pokhar, P.O.-Bankipur, P.S.-Pirbahore, Dist-Patna.
 7. Sanichari, Wife of Late Aganu, Resident of Mohalla-Bhawar Pokhar, P.O.-Bankipur, P.S.-Pirbahore, Dist-Patna.
 8. Malti, Daughter of Soni Rai, Resident of Mohalla-Yarpur, Ambedkar Colony, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
 9. Sanjay Ram, Son of Late Devendra, Resident of Mohalla-Yarpur, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
 10. Kalawati, Wife of Late Durga, Resident of Mohalla-Yarpur, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
 11. Kumari Panawa, Daughter of Late Soniya, Resident of Mohalla-Mangal Talab, P.O.-Jhowganj, P.S.-Mehandiganj, Dist-Patna.
 12. Sukhari, Son of Late Jhakhari, Resident of Mohalla-Bhawar Pokhar, P.O.-Bankipur, P.S.-Pirbahor, Dist-Patna.
 13. Most. Jarina Khatoon, Wife of Late Nabbudin, Resident of Mohalla-Nabab sah Road, Patna City, P.S.-Alamganj, Dist-Patna.
 14. Rajpati Devi, Wife of Late Sukhlal, Resident of Mohalla-Sandalpur, P.S.-Sultanganj, Dist-Patna.
 15. Sunder Patiya, Wife of Late Kallu, Resident of Mohalla, P.O. and P.S.-Sultanganj, Dist-Patna.
 16. Rajchandra, Son of Ram Khelwan, Resident of Mohalla-Gardanibagh Garikhana, P.O.-G.P.O., P.S. Gardanibagh, Dist-Patna.
 17. Mymoon Khatoon, Wife of Late Md. Salim, Resident of Mohalla-Durukhigal, Mugalpura, P.O.-Jhanganj, PS-Khajakala, Dist-Patna.
 18. Uday Kumar Singh, Son of Nageshwar Singh, Resident of Mohalla-Bahadurpur, P.S.-Sultanganj, Dist-Patna.
 19. Most. Domani Devi, Wife of Late Ram Jatan, Resident of Mohalla-Brahampur Road, P.O.-Phulwari, P.S. Phulwari, Dist-Patna.
 20. Vina Devi, Wife of Late Chhotelal, Resident of Mohalla-Beur Baichak, P.O.



and P.S.-Beur, Dist-Patna.

21. Most. Tammana Devi, Wife of Late Mohan, Resident of Mohalla-Purvi Lohanipur, P.S. Kadamkuan, Dist-Patna.
22. Phool Kumari Devi, Wife of Late Singha, Resident of Mohalla-Bhawar Pokhar, P.O. Bankipur, P.S. Pirbohore, Dist-Patna.
23. Jaimoon Nisha, Wife of Late Alia, Resident of Mohalla-Bhawar Pokhar, P.O. Bankipur, P.S.-Pirbahore, Dist-Patna.
24. Most. Sona Devi, Wife of Late Shambhu Ram, Resident of Mohalla-Ashiyana Road, Digha, P.S.-Patliputra, Dist-Patna.
25. Badri, Son of Late Shankar Raut, Resident of Mohalla-Lohakepool, P.S. Mehadiganj, Dist-Patna.
26. Radha, Wife of Late Vijay, Resident of Mohalla-Yarpur, Ambedkar Colony, PO-G.P.O., PS-Gardanibagh, Dist-Patna.
27. Surshatiya, Daughter of Late Subedar, Resident of Mohalla-Yarpur, Ambedkar Colony, PO-G.P.O., PS-Gardanibagh, Dist-Patna.
28. Shanti Devi, Wife of Late Ram Vilash Ram, Resident of Mohalla-Yarpur, Ambedkar Colony, PO-G.P.O., PS-Gardanibagh, Dist-Patna.
29. Sagar, Son of Late Lobhi, Resident of Mohalla-Yarpur, PO-G.P.O., PS-Gardanibagh, Dist-Patna.
30. Bindeshwar Ram, Son of Late Govinda, Resident of Mohalla-Ram Nagar Devi Asthan, Bangali Tola, P.O.-G.P.O., PS-Jakkanpur, Dist-Patna.
31. Shankar, Son of Late Dumari, Resident of Mohalla and P.S.-Phulwarisharif, Dist-Patna.
32. Bali Ram Prasad Singh, Son of Late Jai Bihari Singh, Resident of Mohalla-Pipara Singhwara, P.S. Singhwara, Dist-Darbhanga (Bihar).
33. Dina Das, Son of Late Mangal Das, Resident of Mohalla-Chowk Shikarpur, P.O.-Begumpur, P.S.-Jahugani, Dist-Patna.
34. Rajwanti, Son of Late Bishwanath Ram, Resident of Mohalla-DVC Chowk, Jakkanpur, P.O.-G.P.O., P.S. Jakkanpur, Dist-Patna.
35. Munna, Son of Late Sitaram, Resident of Mohalla-Yarpur, P.O. G.P.O., PS-Gardanibagh, Dist-Patna.
36. Saheb, Son of Late Bilkhira, Resident of Mohalla-Yarpur, P.O. G.P.O., PS-Gardanibagh, Dist-Patna.
37. Kummuni Devi, Wife of Late Bijali, Resident of Mohalla-Yarpur, Domkhana, P.O.-G.P.O., P.S. Gardanibagh, Dist-Patna.
38. Ram Pukar Thakur, Son of Mathura Thakur, Resident of Mohalla-Mahabir Colony, PO-Anishabad, PS-Beur, Dist-Patna.
39. Most. Rekha Devi, Wife of Late Dipak Kumar, Resident of Mohalla-Kaushlya Nagar, Apolo Road, PO-Anishabad, PS-Hawai Adda, Dist-Patna.
40. Uma Deve, Wife of Late Radhe Thakur, Resident of Mohalla-R-Block, Road No. 10, PO-G.P.O., P.S.-Sachivalaya, Dist-Patna.
41. Devanti Devi, Wife of Late Yugeshwar, Resident of Mohalla-Chitkohra Bishnupuri, PO-Anishabad, PS-Gardanibagh, Dist-Patna.



42. Satya Narayan Paswan, Son of Late Ram Parichan Paswan, Resident of Mohalla-Apolo Road, Kaushal Nagar, PO-Anishabad, PS-HawaiAdda, Dist-Patna.
43. Ram Shankar Ram, Son of Late Baleshwar, Resident of Mohalla-Adalatnganj, Amar Nath Road, PO-G.P.O., P.S.-Kotwali, Dist-Patna.
44. Chandriak Das, Son of Late Harihar Das, Resident of Mohalla-Naya Tola Phulwarisharif, Dist-Patna.
45. Md. Rafik, Son of Late Makduman Miya, Resident of Mohalla-Naya Tola Phulwarisharif, Dist-Patna.
46. Jagiya, Wife of Late Kailash, Resident of Mohalla-Dhobi Tola, PS Buddha Colony Dist-Patna.
47. Anita, Wife of Late Jodhan, Resident of Mohalla-Mangal Tabla Chowk, Patna, Dist-Patna.
48. Jankiya, Daughter of Late Shiv Nandan, Resident of Mohalla-Bhawar Pokhar, PO-Bankipur, PS-Pirbahore, Dist-Patna.
49. Uma, Wife of Late Mahabir, Resident of Mohalla-Sandalpur, PS-Sultanganj, Dist-Patna.
50. Ishwar Mahto, Son of Late Sri Kishun Mahto, Resident of Mohalla-Shashtri Nagar, P.S.-Shashtri Nagar, Dist-Patna.
51. Urmila, Wife of Late Dasrath, Resident of Mohalla-Yarpur, P.O.-G.P.O., P.S.-Gardanibagh, Dist-Patna.
52. Urmila, Wife of Late Kedar, Resident of Mohalla-Lohanipur, P.S. Kadamkuan, Dist-Patna.
53. Satendra Ram, son of Late Imali, Resident of Mohalla-South Mandiri, PO-G.P.O., PS-Budha Colony, Dist-Patna.
54. Sabita, Wife of Late Ram Lal, Resident of Mohalla Kathpool, Mandiri, P.O.-G.P.O., P.s. Buddha Colony, Dist Patna.
55. Pirthivi, wife of Late Durga Rajak, Resident of Mohalla-New Alkapuri Road No. 9, PO-Anishabad, PS-Gardanibagh, Dist-Patna.
56. Mahendra, Son of Late Mauji, Resident of Mohalla-Yarpur, Ambedkar Colony, PO-G.P.O., P.S.-Gardanibagh, Dist-Patna.
57. Chaiti Devi, Wife of Late Jwohar, Resident of Mohalla Kankarbagh Tempoo Stand, P.O. and P.S.-Gardanibagh, Dist Patna.
58. Asha, Daughter of Late Jadu, Resident of Mohalla-Yarpur, Ambedkar Colony, P.O.-G.P.O., PS-Gardanibagh, Dist-Patna.
59. Chidanand Yadav, Son of Late Ram Narayan Yadav, Resident of Mohalla-Mithapur B Area, P.S.-Jakkanpur, Dist-Patna.
60. Amar Ram, Son of Late Anandiya, Resident of Mohalla-R-Block, P.O. G.P.O., P.S.-Sachivalaya, Dist-Patna.
61. Maniya, Daughter of Late Uma, Resident of Mohalla-Kath Ke Pool, P.S.-Dist-Patna.
62. Bajranji, Son of Late Ram Prasad, Resident of Mohalla-Nala Road, Ambedkar Colony, P.S. Kadamkuan, Dist-Patna.



63. Laxmi Son of Late Sita Resident of Mohalla- Saidpur Nahar, P.S.- Kadamkuan, District- Patna.
64. Most. Ramrati Devi Wife of Late Jawahar Mahto Resident of Mohalla- Phulwarisarif Thana Road, P.O.- and P.S.- Phulwarisarif, District- Patna
65. Most. Parmila Devi Wife of Late Raju Resident of Mohalla- Ambedkar Colony Saidpur P.S.- Bhagwanganj, District- Patna.
66. Sunil Kumar Tiwari Son of Late Tapsi Tiwari Resident of Mohalla- Anishabad, P.S.- Gardanibagh, District- Patna
67. Hardayal Son of Late Lakhan Resident of Mohalla- Sheikhpura More, P.S.- Shastrinagar, District- Patna.
68. Maksud Mian Son of Late Maksul Mian Resident of Mohalla- and P.S.- Phulwarisarif, District- Patna.
69. Lalita Devi Wife of Late Ramanandan Singh Resident of Mohalla- K.P. Sarkar Road, Mithapur, P.S.- Jakkanpur, District- Patna.
70. Rampyare Son of Late Jhangur Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.
71. Gauri Devi Wife of Late Ravi Kanti Resident of Mohalla- Dhelma, P.S.- Kankarbagh, District- Patna.
72. Gomla, wife of Late Rudo Das, Resident of Mohalla-Sadalpur, Ambedkar Colony, P.S.-Shultanganj, Dist-Patna.
73. Dhanwa Wife of Late Ramchandar Resident of Mohalla- Sadalpur, Ambedkar Colony, P.S.- Sultanganj, District- Patna.
74. Duliya Wife of Late Ghuran Resident of Mohalla- Sadalpur, Ambedkar Colony, P.S.- Sultanganj, District- Patna.
75. Mohan Son of Late Mangal Resident of Mohalla- Rajputana Gali, Patna, P.S.- Alamganj, District- Patna.
76. Harendra Son of Late Bouna Resident of Mohalla- Nala Road, P.O. and P.S.- Kadamkuan, District- Patna.
77. Lila Devi D/o of Late Ramdhari Resident of Mohalla- Yarpur, Ambedkar Colony, P.O.- GPO, P.S.- Gardanibagh, District- Patna..
78. Kundan Kumar Son of Late Birju Resident of Mohalla- Nala Road, Ambedkar Colony, P.O. and P.S.- Kadamkuan, District- Patna.
79. Munna Son of Late Sugi Resident of Mohalla- Mina Bazar, P.S.- Alamganj, District- Patna.
80. Sumeda Devi Wife of Late Nandawa Resident of Mohalla- Komasitan, P.O.- Jhauganj, P.S.- Chawk, Patna City, District- Patna.
81. Siya Ram Paswan Son of Late Mahadeo Paswan Resident of Mohalla and P.S.- Gardanibagh, District- Patna.
82. Sikandar Mahto Son of Late Bindu Mahto Resident of Mohalla- Chaile Tad P.O. Guljarbag, P.S.- Alamganj, District- Patna.
83. Kishun Sao, Son of Late Bishun Sao, Resident of Mohalla-Naya Goun, P.O.- Guljarbagh, P.S.-Alamganj, Dist-Patna.
84. Shambhu Son of Late Lakhichand Resident of Mohalla- Murad Road,



PatnaCity, Mushari, District- Patna.

85. Ajit Kumar Son of Late Ram Naumi Resident of Mohalla- Bhawar Pokhar,P.O.- Bankipur, P.S.- Pirbahore, District- Patna.
86. Most. Phulwa, Wife of Late Ram Bilash Manjhi, Resident of Mohalla-Sheikhpura Kapsi Bhawan, P.S.-Sashtrinagar, Dist-Patna.
87. Vishwnath Son of Late Gulgar Resident of Mohalla- Mehdiganj, P.S.- K Nichai, District- Patna.
88. Raju Das Son of Late Ganpat Das Resident of Mohalla- Sheikhpura Bind, P.O.- Vetnari College, P.S.- Sashtri Nagar, District- Patna.
89. Rampravesh Manjhi Son of Late Mohan Resident of Mohalla- Beur Jail ke Pichai, P.O.- Anishabad, P.S.- Beur, District- Patna.
90. Ram Narayan Paswan Son of Late Judagi Paswan Resident of Mohalla-Suichak, Bhatha par, P.O. and P.S.- Beur, District- Patna.
91. Gayanchand Biskarma, Son of Late Mangli Mistry, Resident of Village-Simra, P.O. and P.S.-Parsabazar, Dist-Patna.
92. Ramji, Son of Late Basant, Resident of Mohalla-Chiratand Pirthiwipur Pahali Gali, P.O.-G.P.O., P.S.-Kankarbagh, Dist-Patna.
93. Surendra Paswan, Son of Late Ramchandra Paswan, Resident of Village-Lakhni Bigha, P.O. Khagaul, P.S. Panapur, Dist-Patna.
94. Shyamsundar Mishra, Son of Late Nageshwar Mishra, Resident of Mohalla-Defence Colony, P.S. Kankarbagh, Dist-Patna.
95. Kailash, Son of Late Lalchand, Resident of Mohalla-Churharmal Nagar Khojai Email, P.O. and P.S.-Phulwarisharif, Dist-Patna.
96. Rita Devi, Wife of Late Ranjan, Resident of Mohalla-G.P.O., P.S. Gardanibagh, Dist-Patna.
97. Aklu, Soh of Late Tatwa, Resident of Mohalla-Noon K Chaurha Hazari K Mohalla, P.O-Jhaunganj, P.S.-Khajkalu, Dist-Patna.
98. Pappu Sao, Son of Late Nathuni Sao, Resident of Mohalla-Bawapura, P.O. Mubarakpur, P.S. Phulwarisharif, Dist-Patna.
99. Renu, Daughter of Late Raja, Resident of Mohalla-Languru Akhara Sadikpur, P.O.-Guljarbagh, P.S. Alamganj, Dist-Patna.
- 100 Chandan Kumar, Son of Late Birendra Kumar Thakur, Resident of Mohalla-Mithapur B-Area, P.s. Jakkanpur, Dist-Patna.
- 101 Hariom Prakash Bharti, Son of Late Kriti Narayan Yadav, Resident of Mohalla-Mithapur B-Area, P.s. Jakkanpur, Dist-Patna.
- 102 Rizwa Ulah Ansari, Son of Late Hafizyllah Ansari, Resident of Mohalla-Samanpura New Belal Masjid, P.S. Sashtrinagar, Dist-Patna.
- 103 Saiyad Md. Mohsin, Son of Late A Abu Md., Resident of Mohalla-Mangalpurva, Alibagh, P.O. Khajkala, P.S.-Jhaunganj, Dist-Patna.
- 104 Tri Bikaram Narayan, Son of Late Devnarayan Singh, Resident of Mohalla-Babhawanpura, P.O. Mubarakpur, P.s. Phulwari, Dist-Patna.
- 105 Salma Khatoon, Son of Late Ali Ansari, Resident of Village-Amhara, P.O.- Amhara, P.S. Bihta, Dist-Patna.



- 106 Satrudhan, Son of Late Lakhichand, Resident of Mohalla-Yarpur, P.O.- G.P.O., P.S. Gardanibagh, Dist-Patna.
- 107 Ram Chandra Rai, Son of Late Ramavatar, Resident of Mohalla-Phulpras, P.s. Singhrailiya, P.s.-Siwan.
- 108 Parsuram, Son of Late Duryodhan Ram, Resident of Mohalla-Gardanibagh, P.S. Gardanibagh, Dist-Patna.
- 109 Ram Pravesh Son of Late Sukhdeo Resident of Mohalla- Kankarbagh Ashoknagar, P.S.- Kankarbagh, District- Patna.
- 110 Matur Son of Late Bhondu, Resident of Mohalla- Mangal Talab, Haizon Colony, P.O.- Jhauganj, P.S.- Chowk, District- Patna.
111. Most. Kanti Devi, Wife of Late Sew Balak, Resident of Mohalla-Sashtrinagar, karpuri Bhawan, P.S.- Sashtrinagar, District- Patna.
- 112 Kashinath Singh, son of Late Ram Kripal Singh, Resident of Mohalla-Nagar Nigam Colony, Piranadu Nagar Phulwarisharif, P.S. Phulwarisharif, Dist-Patna.
- 113 Shankar Ram, son of Late Jhapshi, Resident of PMCH Quarter, P.S.- Pirbahore, Dist-Patna.
- 114 Sumitri, Daughter of Late Sukhu Resident of Mohalla- Bishunpuri Baipass, P.S.- Gardanibagh, District- Patna.
- 115 Harish Kumar Singh, Son of Late Parikshan Singh, Resident of Mohalla-Nayachak (In front of Canara Bank), P.O.- Mohanpur, P.S.- RamKrishnaNagar, District- Patna.
- 116 Shailendra Kumar, son of Late Harishankar Prasad Singh, Resident of Mohalla- Gardanibagh Road No. 13, Quarter No. 2 (B), P.O.- Anishabad, P.S.- Gardanibagh, District- Patna..
- 117 Sila, Daughter of Late Bundlaya, Resident of Mohalla-Chitkohra Vishnupur, P.S.-Gardanibagh, Dist-Patna.
- 118 Arun Kumar, son of Late Dev Narayan, Resident of Mohalla and P.S.- Kankarbagh, Dist Patna.
- 119 Devnandan Roy, son of Late Ram Briksha Roy, Resident of Mohalla-Babhanpur, P.S. Phulwarisharif, Dist Patna.
- 120 Ram Yatan Prasad, Son of Late Jatu Singh, Resident of Mohalla-Parsa Bazar, P.S. Parsa Bazar, Dist-Patna.
- 121 Raj Kumar, Son of Late Jitan Ram, Resident of Mohalla-Chitkohara, Vishnupuri, P.S. Gardanibagh, Dist-Patna.
- 122 Jawahar, Son of Musan, Resident of Mohalla-Vishnupuri, P.s. Gardanibagh, Dist-Patna.
- 123 Jhular Devi, Wife of Nandwa, Resident of Koma Sikaha Bus Road, P.O. Jhaugan, P.S. Chaugan, Patna City, Dis-Patna.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary Namely Anand Kishor, Urban Development Department Govt. of Bihar, Patna.
2. Himanshu Sharma, The Municipal Commissioner, Patna Municipal



Corporation, Maurya Lok Budha Marg, Patna.

3. Devendra Tiwary, The Additional Municipal (Establishment/Commissioner,
Patna Municipal Corporation, Maurya Lok Budha Marg, Patna.
... .. Opposite Parties

Appearance :

For the Petitioners : None
For the Opposite Party PMC: Mr. Bindhyachal Singh, Senior Advocate
Mr. Ranjeet Kumar Pandey, Advocate
For the State : Mr. Rakesh Ambastha, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

9 22-09-2023 There is no representation on behalf of the
petitioners.

2. Learned counsel representing the Patna Municipal Corporation has drawn the Court's attention to the second supplementary show cause reply filed on 21.08.2023, wherein it has been stated that out of 123 petitioners, details of 106 could be found under different Circles of the Corporation, but details of the remaining could not be ascertained. It has been stated that in compliance of the orders passed by this Court, arrears on account of difference of salary of 6th Pay Revision and difference of ACP has been paid to 101 petitioners. Certain payments could not be made as the details of the legal heirs of the employees could not be ascertained. It has been stated further that if the legal heirs of such employees provide the documents in support of their claim, the same shall be examined and the arrears shall be paid to them accordingly.



3. Considering the subsequent conduct of the opposite parties as emerging from various affidavits including the second supplementary show cause reply, as noted above, in my opinion, unqualified apology tendered on behalf of the opposite party No. 2 deserves to be accepted. The contempt proceeding is dropped accordingly and also in the light of the undertaking given on behalf of the opposite party No.2 that the rest of the persons entitled to the arrears arising out of implementation of 6th Pay Revision and grant of ACP shall be paid as soon as the requisite details are furnished to the Corporation.

(Chakradhari Sharan Singh, J)

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