

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9551 of 2023

1. Dharmendra Kumar Son of Late Ram Chandra Ram, Resident of Village-Sakri, Post Office- Sakri Chauki, Police Station- Arwal, District- Arwal.
2. Mandavi Kumari Daughter of Late Ramanuj Sharma, Resident of Mohalla-Raja Bazar, Hanuman Nagar, Police Station and District- Jahanabad.
3. Deepak Kumar Son of Late Gopal Prasad, Resident of Mohallah- Court Area, Jehanabad, PS and District- Jahanabad.
4. Sarish Kumar Son of Late Dinesh Kumar Sinha, Resident of Village-Dakshri, Police Station and District Jahanabad.
5. Vishnu Nandan Son of Late Deelip Kumar Gupta, Resident of Mohallah-Shyam Nagar, Kali Pokhar, Abgilla Devi Asthan, PS- Manpur, District-Gaya.
6. Amlesh Kumar Son of Late Mani Prasad, Resident of Village and Post Office- Kalpa, Police Station and District- Jahanabad.
7. Ravi Shekhar Kumar Son of Late Ram Vinod Sharma, Resident of Village-Ankopur, Post Office- Paibigha, Police Station- Makhdumpur, District-Jahanabad.
8. Vishal Kumar Son of Late Umesh Prasad Sinha, Resident of Ganreria Khand, PS and District- Jahanabad.
9. Md. Ashraf Khan Son of Late Haidar Khan, Resident of Village and Post Office- Dhangawa, Police Station and District- Jahanabad.
10. Vijay Kumar Son of Nand Lal Prasad, Resident of Village- Arki Tola, Post Office- Bharthua, Police Station District- Jahanabad.
11. Alok Kumar Son of Late Yogendra Sharma, Resident of Ganghara, Police Station- Shahpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Personnel and Administration Reforms, Now General administration Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The District Collector-cum-District Magistrate, Jahanabad.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Virendra Prasad, Advocate
For the State	:	Md. N.H. Khan, SC-1

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 District Collector-cum-District Magistrate, Jahanabad (Respondent No. 3) by filing representation (Annexure-18 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 District Collector-cum-District Magistrate, Jahanabad (Respondent No. 3). The court, therefore, is not called upon to adjudicate any



issue at present.

4. The petitioners' representation (Annexure-18 series to the writ petition) is required to be considered and disposed of by the District Collector-cum-District Magistrate, Jahanabad (Respondent No. 3) 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-18 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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