

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9193 of 2023

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Ajay Kumar Son of Late Lal Dhari Singh Resident of Village-Karpi, Post
Office-Karpi, Police Station-Karpi, District-Arwal.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Finance, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Finance Commissioner, Department of Finance, Government of Bihar, Patna.
4. The Upper Secretary, Department of Finance, Government of Bihar, Patna.
5. The Special Secretary-Cum-Director, Department of Finance, Government of Bihar, Patna.
6. The Superintendent of Press-Cum-Forms, Gaya.
7. The Deputy Superintendent/Secretary, Printing Press, Gulgarbag, Patna.
8. The Incharge, Superintendent of Press-Cum-Forms, Gaya.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Virendra Prasad, Advocate
For the Respondents	:	Mr. Anil Kumar Singh (GP26)

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

2 02-12-2023 This writ petition is filed to direct the respondents authority to pay the salary of higher pay scale hence the petitioner discharging duty of higher responsibilities post i.e., post of Offset Operator from 1997 till date.

2. It is specific contention of the learned counsel for the petitioner that initially the petitioner was being appointed as *Darwan* i.e. Class IVth on 24.09.1991, for which he joined the said post on 27.09.1991. Further, the services of the petitioner



was being confirmed by the respondent-authority on 30.07.1997. Since 30.12.1997, the petitioner was working as higher Post Responsible post by the order of competent authority. On 17.12.2009, the respondent authority directed him to perform the higher post duty and since then he was being performing the post but was not been paid with the higher salary, for which he made a representation on 21.12.2021 to pay him higher salary for higher post.

3. On the other hand, learned counsel for the State contended that a direction can be given to dispose of the representation of the petitioner.

4. Considering the rival submissions of both the parties, this Court is of the considered view that there is no impugned order in the present writ petition. Further, the representation made by the petitioner is pending before the respondents authority since 21.12.2021, therefore, the respondents shall pass appropriate orders basing on the merits of the representation dated 21.12.2021.

5. Considering the contents of the representation that the petitioner is working in a higher post and the respondent-authority shall consider the ratio of the Hon'ble Apex Court in the case of Ganesh Lal reported in 2017(4) PLJR 282 and in the



case of State of Punjan and others vs. B.K. Dhir reported in
SCC 2017(9) SCC 377 and shall pass appropriate orders
disposing off the representation dated 21.12.2021 within a
period of six weeks from the date of the receipt of the order.

(G. Anupama Chakravarthy, J)

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