

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10221 of 2023

1. Saurav Suman Son of Late Lakshmi Kant Singh Resident of Mohalla- Malik Saray, P.S.- Islampur, District- Nalanda.
2. Vikash Raj Son of Late Satyanarayan Chaudhary Resident of Magadh Colony, Bari Pahadi, P.S.- Sohsarai, District- Nalanda.
3. Nitish Kumar Son of Late Shiv Nath Prasad Resident of Mohalla- Nehru Tola, Begampur, Patna City, P.S.- Chowk, District- Patna.
4. Sunil Kumar Son of Late Suresh Chaudhari Resident of Mohalla- Nalanda Colony, Ramchandrapur, P.S.- Laheri, District- Nalanda.
5. Raushan Kumar Son of Late Manoj Kumar Resident of Village- Amera, P.S. Tharthari, District- Nalanda.
6. Munna Kumar Son of Late Moti Lal Resident of Mohalla- Musadpur, Kaghzi Mohalla, P.S.- Biharsharif, District- Nalanda.
7. Pankaj Kumar Son of Late Mundrika Prasad Resident of village- Gondapur Road, Garhpar, P.S.- Nawada, District- Nawada.
8. Kumar Kishlaya Son of Shashikant Sinha Resident of Mohalla- Professor Colony, Dhaneshwar Ghat, P.S.- Biharsharif, District- Nalanda.
9. Prakash Ranjan Sharma Son of Late Alakhdeo Prasad Sharma Resident of Mohalla- Bhaisasur, Patel Nagar, P.S.- Laheri, District- Nalanda.
10. Shri Kant Verma Son of Late Lalan Prasad Verma Resident of village- Pawa, P.S.- Deep Nagar, District- Nalanda.
11. Golu Kumar Son of Late Arvind Prasad Resident of village- Nagarnausa, P.S.- Nagarnausa, District- Nalanda.
12. Pankaj Kumar Son of Late Hari Ram Resident of Mogalkua, P.S.- Biharsharif, District- Nalanda.
13. Rajeev Ranjan Kumar Son of Late Arvind Prasad Resident of Village- Pahetiya, P.S.- Silao, District- Nalanda.
14. Gajendra Kumar Son of Late Maheshwar Prasad Resident of village- Meura, P.S.- Athmalgola, District- Patna.
15. Binod Kumar Singh Son of Late Ram Parikshan Singh Resident of Village- Ramnagar Diyara, P.S.- Athmalgola, District- Patna.
16. Pradeep Kumar Sinha Son of Late Mahendra Prasad Resident of Saida Bazar, Pathak Toli, P.S.- Hilsa, District- Nalanda.
17. Mohammad Akram Raza Son of Late Mohammad Nayyar Azam Resident of Mohalla- Khasganj, Sohsarai, P.S.- Sohsarai, District- Nalanda.
18. Praneet Kumar Son of Late Shyam Narayan Prasad Resident of village, P.O. and P.S.- Rahui, District- Nalanda.
19. Saurabh Suman Son of Late Rajendra Prasad Resident of Nalanda Colony, Ramchandrapur, P.S.- Laheri, Biharsharif, District- Nalanda.
20. Ranjit Kumar Son of Late Ramashish Prasad Resident of village- Khokhna, P.S.- Karayparsurai, District- Nalanda.



21. Manoj Kumar Son of Visheshwar Paswan Resident of Block Colony, Rajgir,
P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administrative Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, General Administrative Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The District Magistrate, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh, Adv.
For the Respondent/s : Ms Babita Kumari AC to SC-1

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners grievance is pendency of their representation for grant of the Scale of 4000- 6000/-. Claiming parity with the beneficiaries of the writ proceedings arising out of *CWJC No. 9921 of 2017 (Binit Kumar & Ors. Vs. State of Bihar & Ors.)* and *LPA No. 1702 of 2017 (State of Bihar & Ors. Vs. Binit Kumar & Ors.)*, it is submitted that though the petitioners were appointed on compassionate ground after the cut-off date 28-09-1999, their claim is being kept pending. The authorities are waiting for the petitioners to get orders of this Court.

3. Though the issue has been decided and petitioners'



claim being a “covered matters” is entitled to the same benefit in view of Clause 4.C(1) of the Bihar State Litigation Police, 2011, the substantial grievance is inertia on part of the respondents in not taking final decision on the petitioners’ representation.

4. In view of the nature of grievance raised in today's proceedings, the learned State counsel submits that only if the petitioners are eligible, the benefit can be granted.

5. The Court, therefore considers it appropriate to dispose of the writ application. Since the issue is yet to be decided by the District Magistrate, Nalanda (respondent No.4), let Respondent No.4 pass a reasoned and speaking order with respect to the petitioners’ claim within three (03) months from the date of receipt/production of copy of this order.

(Madhuresh Prasad, J)

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