

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13651 of 2022**

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1. Jitendra Kumar Singh, S/o Late Laxuman Singh, resident of village and Post and P.S. - Piro Shastri Nagar, Ward No. 02, Distt. - Bhojpur, 802207 presently residing at Public Health Division, Arwal, Village and Post and P.S. - Arwal, Near Block Office, Distt. - Arwal - 804401.
2. Shashi Kant Mishra S/o Late Rajnath Mishra, resident of Village and Post - Malap Harsenpur, P.S. - Nagra, Distt - Ballia, State - Uttar Pradesh - 221711 presently residing at Hans Raj Singh, Doctor Navin Gali, P.O. - Ara, P.S.- Navada, K.G. Road, Distt. - Bhojpur - 802301.
3. Subhash Kumar, S/o Late Ram Suresh Rai, resident of Village - Doman Dihara, P.O. - Khanani Kala, P.S. - Agiaon Bazar, Distt. - Bhojpur - 802202 presently residing at Office of the Executive Engineer, Public Health Division, Ara, P.O. - Ara, P.S. - Navada, Distt. - Bhojpur - 802301.
4. Abhay Kumar Choudhary, S/o Late Radhe Shyam Prasad, resident of village and Post - Ekauna, Ward No. -04, P.S. - Simri, Distt. - Buxar - 802131, presently residing at C/o Ambika Singh, Madhav Madhukar Kunj, Goutam, Budh Nagar, Godhna Road, Ara Bhojpur, 802301.
5. Manish Kumar S/o Late Virendra Kumar Sinha, resident of village and Post - Dighwara, P.S. - Dighwara, Distt. - Saran - 841207 presently residing at C/o Arvind Kumar Mishra, Rajeev Nagar, Ward no. - 14, P.O. - Gopalganj, P.S. - Gopalganj, Distt. - Gopalganj - 841428.
6. Pramod Kumar, S/o Late Raghuvansh Singh, resident of village and Post - Bhataoli, P.S. - Navanagar, Distt. - Buxar - 802129, presently residing at Yashoda Bhawan, Near Jail More, Charitra Bhawan, P.S. - Buxar, Distt. - Buxar - 802101.
7. Poonam Kumari W/o Pramod Kumar, resident of village and Post - Bhataoli, P.S. Navanagar, Distt. - Buxar - 802129, presently residing at Yashoda Bhawan, Near Jail More, Charitra Bhawan, P.S. - Buxar, Distt. - Buxar - 802101.
8. Jitendra Kumar, S/o Chandra Bhan Prasad, resident of Choudharana Road, Near Durga Mandir, P.O. - Danapur, P.S. - Danapur, Distt. - Patna - 801503.
9. Dilip Kumar Thakur, S/o Late Jitan Thakur, resident of Village - Gayghat, P.O. - Padari, P.S. - Simri, Distt. - Buxar - 802135.
10. Sujit Kumar S/o Late Shiv Nath Singh, resident of Village and Post and P.S. - Kargahar, Distt. - Rohtas 821107.
11. Jitendra Kumar Singh S/o Late Devendra Nath Singh, resident of village and Post - Phunha, P.S. - Barahara, Distt. - Bhojpur 802163.
12. Manoj Kumar Singh S/o Late Ram Vinod Singh, resident of Village and Post - Panwari, P.S. - Sikrahata, Distt. - Bhojpur - 802222.
13. Santosh Kumar S/o Late Ramyash Sharma, resident of Village - Mehandia, Post - Jaipur, P.S. - Mehandia, Distt. - Arwal - 804428.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department



Government of Bihar, Patna.

2. The Principal Secretary, Finance Department Government of Bihar, Patna.
3. The Secretary (Expenditure), Department of Finance, Government of Bihar, Patna.
4. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Public Health Engineering Department, Government of Bihar, Patna.
6. The Chief Engineer, (Mechanical), Public Health Engineering Department, Bihar, Patna.
7. The Chief Engineer Public Health Engineering Department, Patna Zone, Patna.
8. The Superintending Engineer, Public Health Engineering Department, Public Health Engineering Circle, Ara, District - Bhojpur.
9. The Superintending Engineer, Public Health Engineering Department, Public Health Engineering Circle, Sasaram, District Sasaram.
10. The Superintending Engineer, Public Health Engineering Department, Public Health Engineering Circle, Chapra, District Saran.
11. The Executive Engineer, Public Health Engineering Department, Public Health Division, Ara, District Bhojpur.
12. The Executive Engineer, Public Health Engineering Department, Public Health Division, Arwal, District Arwal.
13. The Executive Engineer, Public Health Engineering Department, Public Health Division, Buxar, District Buxar.
14. The Executive Engineer, Public Health Engineering Department, Public Health Division, Gopalganj, District Gopalganj.

... .. Respondent/s

**Appearance :**

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| For the Petitioners | : | Mr. Nikhil Kumar Agrawal, Advocate<br>Ms. Aditi Hansria, Advocate |
| For the State       | : | Mr. Arvind Ujjwal, SC-4                                           |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      04-09-2023              1.              Heard learned counsel for the petitioners and  
learned counsel for the State.

2.              The petitioners, lower division clerks, are in the  
pay scale 5200-20200 carrying grade pay 1900. It is their  
grievance that others similarly situated have been allowed the  
pay scale 5200-20200 carrying grade pay 2400. The petitioners



claim parity with the beneficiaries of such pay scale based on decision of this court passed in the case of *Biresk Kumar Singh & Ors. vs. The State of Bihar & Ors.* in CWJC No. 14664 of 2016.

3. It is submitted by learned counsel for the petitioners that relying upon earlier decision of this court in the case of *Binit Kumar & Ors. versus The State of Bihar & Ors.* arising out of CWJC No. 9921 of 2017, the benefit has been granted. The petitioners' claim for the same benefit made before Respondent Nos. 8 and 9 vide Annexure-10 series, however, is yet to be considered.

4. This court finds that the representations are filed in August, 2022, more than a year back. Since the issue is only of consideration of petitioners' claim for parity and no adjudication is called upon, the matter need not be kept pending.

5. Writ application is disposed of with direction to Respondent Nos. 8 and 9 to take a final decision on the petitioners' plea and grant benefits found due and admissible. Let the entire exercise be completed within eight weeks from the date of receipt/production of a copy of this order.

**(Madhuresh Prasad, J)**

shashank/-

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