

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.343 of 2017

In
Civil Writ Jurisdiction Case No.6154 of 2017

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1. Amrendra Kumar Sinha and Ors S/o Sri Late Bhuvneshwar Prasad, resident of Mohalla- Panchshil Nagar, P.O.- Digha, District- Patna.
 2. Ashok Kumar Mishra, S/o Sri Purushottam Mishra, resident of Mohalla- South Ram Krishna Nagar, New Bypass Sheikhpura, District- Patna.
 3. Sanjay Kumar Sinha, S/o Late Braj Kishore Prasad, resident of Mohalla- Dariyapur Gola, Mohar Tola, Bankipur, District- Patna.
 4. Rajendra Prasad, S/o Late Ram Babu Sao, resident of Mohalla- Behind Janta Hotel, Govind Mitra Road, Babu Tola Lane, Muradpur, Patna.
 5. Radhey Shyam Pandey, S/o Late Damodar Pandey, resident of Village- Narauli, P.O.- Karauta, District- Patna.
 6. Binay Kumar-1, S/o Late Ram Babu, At- House No.155, Awasthi Ghat, Danapur Main Road, Digha, District- Patna.
 7. Dewanand Singh, S/o Late Ram Vinayak Singh, At- Flat No.202, Ishan Aptt. Shivpuri, Boring Road, District- Patna.
 8. Kamal Nath, S/o Late Tarkeshwar Nath, At- A- 110, P.C. Colony, Kankarbagh, District- Patna.
 9. Sharda Nand Lal Das, S/o Late Rasdhari Lal Das, resident of Village- Sarhad, P.O.- Lohat, District- Madhubani.

... .. Petitioner/s

Versus

1. The Union Of India through the Registrar General & Census Commissioner, India, Ministry of Home Affairs, 2-A, Man Singh Road, New Delhi-110011
2. The Under Secretary to the Government of India, Ministry of Home Affairs, Office of the Registrar G
3. The Director of Census Operations, Bihar, Ministry of Home Affairs, Bihar State Co-operative Bank B
4. The Joint Director of Census Operation, Bihar, Ministry of Home Affairs, Bihar State Co-operative B

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Rukhaiyar, Advocate
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER



(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

6 26-07-2023 Heard learned counsel for the petitioner.

2. The petitioner is seeking the review of the judgment dated 01.08.2017 passed in CWJC No.6154 of 2017 whereby and whereunder the challenge thrown to the order dated 23.02.2017 passed by Central Administrative Tribunal, Patna Bench, Patna in O.A. No.456 of 2013 has been rejected.

3. The Central Administrative Tribunal vide its order dated 23.02.2017 refused to grant the pay-scale of the post of Assistant Director to the petitioners who had been working as Sr. Supervisor and had been granted the grade pay of Rs.4600/- in the pay scale of Rs.9300-34800/-.

4. Learned counsel for the petitioner has referred Annexure- '7' to the writ application which is a communication contained in File No.A-33011/03/2015-Ad-III/341 dated 15.04.2015 issued by the Assistant Director from the office of the Registrar General, India. It is submitted that on a bare perusal of Annexure- '7' to the writ application, it would appear that the office of the learned Registrar General, India has taken a view that the officials i.e. D.E.Os Gr. 'B' and Senior Supervisors who were allowed 2nd ACP between the period from 01.01.2006 to 31.08.2008 in PB-2 Rs.9300-34800/-+GP Rs.4600/- are eligible to draw the 2nd ACP in their promotional hierarchy to



the post of AD(DC) in PB-3 Rs.15600-39100+GP Rs.5400 with effect from their respective dates. It is submitted that in view of Annexure- '7' the petitioner would be entitled for pay scale of the post of Assistant Director in the promotional hierarchy.

5. On reading of the judgment under review, we find that this Court has taken note of Annexure- '7' to the writ application and found that Annexure- '7' clarifies the position that all those persons, who have the qualification and eligibility for holding the post of Assistant Director, Data Centres, would beget the benefit of the pay scale which was made available in terms of the recommendation of the 6th Pay Revision Committee. The Hon'ble Division Bench has rejected the challenge to the order of the Central Administrative Tribunal after finding that these petitioners who do not fulfill the requirements to hold the next higher post are demanding the pay scale of the higher post of Assistant Director. The Hon'ble Division Bench took note of the fact that the petitioners in terms of the ACP scheme were considered and to remove their stagnation they were given the next higher grade pay as part of the financial up-gradation.

6. No other submission has been made before this Court. We find that Annexure- '7' to the writ application has



been considered by this Court while disposing of CWJC No.6154 of 2017. This Court is not sitting in appeal over the judgment under review. No error apparent on the face of the records has been pointed out to this Court.

7. In the opinion of this Court, this review application has no merit. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

(Dr. Anshuman, J)

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