

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15213 of 2022

1. Satyendra Kumar Singh S/o Late Dharmdeo Singh, resident of Village-Patarhi, P.S. Shivsagar, Patarhi, Rohtas Distt-Rohtas, presently working as Clerk Public Health Engineering Department, Public Health, Division, Bhabhua.
2. Abhishek Kumar, S/o Late Rameshwar Ram, Resident of Village-Jalalpur, P.S.-Dhavpokhar, Distt-Kaimur, presently working as Clerk Public Health Engineering Department, Public Health, Division, Bhabhua.
3. Rajni Kant Pandey, S/o Late Lalbahadur Pandey, resident of Village-Kalyanpur, P.O.-Kalyanpur, P.S.-Durgawati, Distt-Kaimur (Bhabhua), presently working as Clerk Public Health Engineering Department, Public Health, Division, Bhabhua.
4. Mukesh Kumar, S/o Late Vijay Kumar Sinha, resident of Village and Post-Karma Baddi, Chenari Chhotki, Distt-Rohtas, Bihar-821113, presently working as Clerk Public Health Engineering Department, Public Health, Division, Bhabhua.
5. Sanjeet Kumar Ranjan, s/o Late Radhekant Sharma, resident of Village and Post-Bhori, Distt-Gaya, presently working as Clerk Public Health Engineering Department, Public Health, Division, Bhabhua.
6. Prabhat Sharma, S/o Late Chhathu Prasad Sharma, resident of Village and Post-Katar, Distt-Bhojpur, presently working as Clerk Public Health Engineering Department, Public Health, Division, Sasaram.
7. Madan Kumar Dubey, S/o Late Bashishth Dubey, resident of Village-Kurwa, P.O.-Gotpa, P.S.-Agarar, Distt-Sasaram, presently working as Clerk Public Health Engineering Department, Public Health, Division, Sasaram.
8. Sheo Shankar Prasad Karn, S/o Late Shashi Bhushan Prasad, resident of PHED Colony in campus, Aurangabad, District Aurangabad, Bihar-824101, presently working as Clerk Public Health Engineering Department, Public Health, Division, Aurangabad.
9. Ramakant Pathak, S/o Late Krishna Nand Pathak, resident of Karma Road, Near Ambika Public School, Aurangabad, District-Aurangabad, Bihar-824101, presently working as Clerk Public Health Engineering Department, Public Health, Division, Aurangabad.
10. Rajan Kumar, S/o Kulbansh singh, resident of PHED Colony, Quarter No. 1, Aurangabad, District-Aurangabad, Bihar 824101, presently working as Clerk Public Health Engineering Department, Public Health, Division, Aurangabad.

... .. 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, Sasaram, District Sasaram.
9. The Executive Engineer, Public Health Engineering Department, Public Health Division, Bhabhua, District Kaimur.
10. The Executive Engineer, Public Health Engineering Department, Public Health Division, Sasaram, District Sasaram.
11. The Executive Engineer, Public Health Engineering Department, Public Health Division, Aurangabad, District Aurangabad.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 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 *Biresh 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 No. 8 vide Annexure-10 series, however, is yet to be considered.

4. This court finds that the representations are filed in September, 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 No. 8 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)

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