

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21542 of 2011

Chandrika Prasad S/O Late Ram Charitra Prasad R/O Mohalla- Purani
Station, Parsa Bazar, P.S.- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director (Admn.) Cum Joint Secretary, Human Resources Development Department, Govt. of Bihar, New Secretariat, Patna.
4. The Secretary, Finance (Bureau of Public Enterprises) Department, Govt. of Bihar, Old Secretariat, Patna
5. The Chairman, Bihar State Text Book Publishing Corporation, Pathya Pustak Bhawan, Budh Marg, Patna-800001.
6. The Managing Director, Bihar State Text Book Publishing Corporation, Pathya Pustak Bhawan, Budh Marg, Patna - 800001

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Suresh Kumar, Adv.
For the State	:	Mr. Birju Prasad GP-13 With Mr. Ravi Kumar AC to GP-13 Mr. Ashok Kumar AC to GP-13

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 23-02-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner, an Account Assistant, has alleged discrimination in the determination of his scale at the time of acceptance of the recommendations of the 6th Pay Revision. Claiming parity with other employees in the respondent- Bihar State Text Book Publishing Corporation (for brevity 'BSTBPC'), the petitioner had approached this Court in CWJC



No. 17854 of 2010.

3. The Court, had directed the State Government to consider the petitioner's request. The same has been rejected under order dated 19-07-2011, issued by the Principal Secretary, Human Resources Development Department, Bihar, Patna. It is this communication, which has been assailed by the petitioner in the present writ proceedings.

4. The learned counsel for the petitioner submits that others similarly situated, as the petitioner, have been allowed the scale of 5500-9000/- whereas, the petitioner has been allowed 4500-7000/-. The order impugned clearly shows the petitioner to be an Account Assistant. The beneficiaries of the Annexure-7, with whom, the petitioner claims parity, are not Account Assistants. The sole ground of assailing the petitioner's scale determination is disparity and discrimination with beneficiaries of Annexure-7. The said two persons, with whom petitioner claims parity are, in fact, Assistants. The petitioner has not been able to show that parity can be sustained, in view of the fact that they were working on two different posts, which is obvious and undisputed from the records.

5. Since the beneficiaries of Annexure-7 and the petitioner are not on the same post and no other ground has been



urged, no case is made out for any interference with the
impugned order dated 19-07-2011 as contained in Annexure-8 to
the writ petition.

6. The writ application is dismissed.

(Madhuresh Prasad, J)

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