

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4594 of 2018

1. Janardan Kumar Madhukar S/o Sri Binod Kumar Vimal , Resident of House No. 102, Road No. 3, Dr. Kishori Mohan Complex, Gaya, P.S. Gaya Medical, District- Gaya.
2. Randhir Kumar S/o Late Brij Kishore Thakur, Resident of Village- Nawalpur Misrouliya, P.S. Sakra, District- Muzaffarpur.
3. Prabhat Ranjan S/o Late Yadunandan Prasad, Resident of Village- Paharchak, P.O. Suhridnagar, P.S. and District- Begusarai.

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Director-in-Chief, Health Services, Government of Bihar, Patna.
6. The Joint Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar Jha, Advocate Mr. Subodh Kumar Jha, Advocate Mr. Sarveshwar Tiwary, Advocate
For the Respondent/s	:	Mr. Mujtabul Haque, GP-12 Mr. Pranoy Kumar, AC to GP-12

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 28-04-2023 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners in the present case are holding Diploma in Pharmacy. They have been selected for appointment on the post of Pharmacist in the Department of Health, Government of Bihar.

This writ application has been filed for issuance of a



writ in the nature of Writ of Mandamus directing the respondents to grant pay scale of Rs.9300-34,800/- in grade pay of Rs.4200/- in PB II after completion of two years of service in terms of the recommendation of the Fast Track Committee of the pay revision. The petitioners further pray for a direction to the respondents to allow the aforesaid pay scale to the petitioners and other similarly situated persons after completion of two years of service on the post of Pharmacist.

A counter affidavit has been filed on behalf of respondent nos. 3, 5 and 6. In paragraph '9' of the counter affidavit, the respondents have made the following statements:-

"9. That it is stated that considering the nature of grievance a letter contained letter No. 808 (4) dated 26/02/2018 has been issued by the Principal Secretary, Health Department, Government of Bihar to the Principal Secretary, Finance Department, Government of Bihar who is respondent no. 4 in this case with a request to look in to the matter and to take decision in accordance with law in the fact and circumstances of the case and to file the counter affidavit in this case before this Hon'ble Court."

In view of the stand taken on behalf of the respondent nos. 3, 5 and 6 and there being no stand on record on behalf of the Principal Secretary, Department of Finance, Government of Bihar (Respondent No. 4), this Court directs the Principal Secretary, Department of Finance, Government of Bihar to take



a reasoned decision within a period of three months from the date of receipt/production of a copy of this order.

If the petitioners are found entitled for the pay scale as claimed by them, the necessary consequential order shall be passed.

This writ application is disposed of with the aforesaid observations and directions.

(Rajeev Ranjan Prasad, J)

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