

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.849 of 2018

-
1. Kumari Priti D/o Shri Ramdeo Rai, Resident of Mohalla- Lalla Hazipur, P.S.- Khagaria, District- Khagaria.
 2. Santosh Kumar Singh, S/o Late Raghunath Singh, Resident of Village- Sikati, P.S.- Mashrakh, District- Saran.
 3. Ranjeet Kumar Singh, S/o Late Govind Singh, Resident of Shital Tola, Sapna Cinema Road, P.S.- Town Ara District- Bhojpur.
 4. Aditya Anshu, S/o Sri Ratneshwar Prasad Srivastava, Resident of Sri Krishna Nagar, P.S.- Town Police Station District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Home Department, Government of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate Mr. Manish Dhari Singh, Advocate
For the State	:	Dr. Anand Kumar, AC to AAG 3

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

12 12-09-2023 Heard Mrs. Nivedita Nirvikar, learned Senior

Counsel for the petitioners and Dr. Anand Kumar who represent

the State.

2. The present writ petition has been filed for the
following reliefs:-

*(i) for issuance of an appropriate order/orders,
direction/directions, writ/writs including writ in the
nature of Mandamus commanding and direction the*



respondents state for granting level-7 in the new pay matrix of the 7th PRC in Pay band of Rs. 9300-34800 with entry pay at level – 7 of Rs. 4600;

(ii) for issuance of an appropriate order/orders, direction/directions, or writ/writs including writ in the nature of Mandamus commanding and directing the respondent state for granting Level 7 also to the petitioners which has been granted to all other posts of supervisory cadre who were getting pay scale of Rs. 9300-34,800/- with grade pay of Rs. 4200 similar to the petitioners.

3. The petitioners who are Sub-Inspectors of Police want upgradation of their pay scale from scale-6 to scale-7 at par with those candidates who had qualified with them and are getting the same though on different posts.

4. The further case of the petitioners is/are that the Bihar Police Men's Association, the parent body had already approached the earlier Finance Department in this regard.

5. Dr. Anand Kumar representing the State submits that the Finance Department, Bihar in its paragraph 16 has already detailed out the reason for not granting the said pay scale to the petitioners.



6. The paragraph 16 of the counter affidavit of the Finance Department read as follows:-

“That it is further important to highlight that the first promotion post of sub-inspector of police is the post of Inspector of Police, which is placed in pay level 7 w.e.f 01.01.2016. Now, if the sub-inspectors will be placed in pay level 7, an anomalous situation will arise where the pay level of the basic feeder post and the promotional post will become the same.”

7. Learned State Counsel further submits that the petitioners are harping on the representation of the Association but it is not their case that they have ever approached themselves before the Finance Department, Bihar, Patna.

8. Learned Senior Counsel submits that earlier the Bihar Police Men's Association had already made a prayer to the Finance Department relating to their pay scale and as per her instruction, a file has already been prepared vide letter dated 83 of 2018 by the Department. She as such submits that in the said background the four petitioners are ready to represent individually before the appropriate authority including the Finance Department, Bihar, Patna for the redressal of their grievance within four weeks from today.

9. If such representation is individually preferred by



the petitioners herein before the respondent no. 2, the Principal Secretary, Finance Department, Bihar, Patna within the aforesaid period, he shall consider the aforesaid facts including the file which the learned Senior Counsel has referred to.

10. The Finance Department, Bihar shall take necessary decision and communicate to the petitioners individually/jointly by a reasoned order within a period of six months from the receipt of the representation by each or every petitioner.

11. It is made clear that this Court has not expressed any opinion in the matter.

12. The writ petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

Neha/-

U			
---	--	--	--

