

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19648 of 2019**

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1. Janardan Prasad, Son of Late Shiv Pujan Lal, Resident of Mohalla-Kazmuddin Chak, P.O. and P.S.-Barh, District-Patna.
  2. Kamla Dom, Son of Late Banwari Ram, Resident of Village-Akberpur, P.O. and P.S.-Barh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Urban Development Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Urban Development Department, Govt. of Bihar, Patna.
4. The Deputy Secretary, Urban Development Department, Govt. of Bihar, Patna.
5. The Nagar Parishad, Barh through its Chairman at Barh, District-Patna.
6. The Chairman, Nagar Parishad, Barh, District-Patna.
7. The Executive Officer, Nagar Parishad, Barh, District-Patna.
8. The Officer on Special Duty, Nagar Parishad, Barh, District-Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr.Raghwendra Sharan Pandey, Advocate. |
| For the State            | : | Mr. Shiv Kumar, AC to GA-3.            |
| For Nagar Parishad Barh: |   | Mr. Ashok Kumar, Advocate.             |
|                          |   | Mr. Anwar Karim, Advocate.             |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL JUDGMENT**

**Date : 07-08-2023**

Heard Mr. Raghwendra Sharan Pandey, learned counsel appearing on behalf of the petitioners; Mr. Shiv Kumar, learned AC to GA-3 for the State and Mr. Ashok Kumar, learned counsel along with Mr. Anwar Karim, learned counsel for the Nagar Parishad, Barh.

2. Learned counsel appearing on behalf of the petitioners submits that the petitioners are entitled for benefit of 5<sup>th</sup> and 6<sup>th</sup> Pay Revision in light of the State Government



Resolution dated 13.04.2017 contained in Memo No. 2723 from the effective date the State government employees have been given the said benefit. He further submits that Nagar Parishad, Barh has adopted the aforesaid State Government resolution, the employees of the Nagar Parishad be also given the same benefit and they seek to file a detailed representation before the Executive Officer, Nagar Parishad, Barh – respondent no.7 for redressal of their grievance.

3. Learned counsel appearing on behalf of the Nagar Parishad, Barh submits that the petitioners are not entitled for the benefit considering the fact that the petitioners had retired before 01.04.2009, effective date. 5<sup>th</sup> Pay revision came into effect for the State Government employees w.e.f. 01.01.1996 and 6<sup>th</sup> Pay Revision came into effect w.e.f. 01.01.2006. The Nagar Parishad gave benefit of 5<sup>th</sup> and 6<sup>th</sup> Pay Revision from 01.04.2009 and 17.03.2016 respectively.

4. Considering the submission made on behalf of the petitioners, the Executive Officer, Nagar Parishad, Barh – respondent no.7 is directed to take a final decision with respect to the claim of the petitioners taking into consideration whether the resolution dated 13.04.2017 contained in Memo No. 2723 is applicable in the case of the petitioners. In case the petitioners



are entitled for the financial benefit, the same be given to the petitioners from the effective date the State Government employees have been given in accordance with law. The representation of the petitioners must be disposed of within a period of six weeks from the date of filing of detailed representation individually by both the petitioners.

5. With the aforesaid observation and direction, the writ petition stands disposed of.

**(Purnendu Singh, J)**

mantreshwar/-

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| AFR/NAFR          | N.A.F.R.   |
| CAV DATE          | N.A.       |
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