

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1427 of 2018

In
Civil Writ Jurisdiction Case No.3657 of 2015

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Subodh Jha S/o- Late Jagdish Jha, Resident of B/28, New Bageshwari Colony, P.S. Delha, P.O.- Gaya Railway Station, District- Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Janardhan Prasad Agrawal, S/o not known, at present posted as the Municipal Commissioner, Gaya Municipal Corporation, Gaya.
3. Birendra Kumar @ Ganesh Paswan, S/o not known, at present posted as the Mayor, Gaya Municipal Corporation, Gaya.
4. Chaitanya Prasad, S/o not known, at present posted as the Secretary, Housing and Urban Development Department, Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Shahi, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

18 03-07-2023 Heard Mr. Siyaram Shahi, learned counsel for the petitioner and Mr. Rabindra Kumar Priyadarshi, learned counsel appearing for the Gaya Municipal Corporation.

The present petition has been preferred for compliance of the order dated 19.09.2017 in CWJC No.3657 of 2015 by which direction was given to the opposite parties to settle the claim of the petitioner.

It has been contended by learned counsel for the petitioner that although the other benefits have been cleared, the 5th Pay Revision as also the 6th Pay Revision have not been



extended to him. However, he concedes that the first installment of 6th Pay Revision was given.

Learned counsel for the Gaya Municipal Corporation submits that so far as the claim of the 5th Pay Revision and 6th Pay Revision are concerned, in view of paucity of fund, the same benefit has not been extended to any of the employee of the said Corporation and he undertakes that the moment the Corporation is in position to extend the said benefits, the petitioners case will be taken on priority basis.

In that view of the matter, this Court is convinced that the compliance of the order has been made. However, the Gaya Municipal Corporation shall ensure that the moment it is in a position to extend the benefits of 5th Pay Revision and 6th Pay Revision, the petitioner case will be immediately taken into consideration and the necessary payments shall be made.

Learned counsel for the petitioner has liberty to challenge the decision taken by the Gaya Municipal Corporation, if any.

The contempt petition stands disposed of.

(Rajiv Roy, J)

Prakash Narayan /-

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