

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.978 of 2021

In
Letters Patent Appeal No.1128 of 2018

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Ratan Lal S/o Late Banwari Lal residents of Mohalla Amrudi Gali, Nala Road, House of Sri Chandra Shekhar Rai, Police Station- Kadamkuan, Town and District- Patna. Petitioner/s

Versus

1. The State of Bihar through the chief Secretary, Government of Bihar namely Arun Kumar Singh, Old Secretariat Patna.
 2. Collector cum District Magistrate, Patna, namely Dr. Chandra Shekhar Singh, Collectorate, Gandhi Maidan, Patna.
 3. Senior Deputy Collector Established, Patna, namely Sudhir Ranjan, Collectorate, Gandhi Maidan, Patna.
 4. Additional District Magistrate, (Established), Patna namely Arun Jha, Collectorate, Gandhi Maidan, Patna.
 5. The Account General, in the Office of Account General, Patna having its office at Birchand Patel Patha namely Praveen Kumar Singh.
- Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arya Achint, Advocate
For the State	:	Mr. Prabhat Kumar Verma (AAG-3)
	:	Mr. Saroj Kumar Sharma (AC to AAG-3)
For the A.G.	:	Mr. Raj Nandan Prasad, Advocate
	:	Mr. Vishesh Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

9 17-05-2024 The present MJC is filed for non-compliance of the order dated 02.04.2019 passed in LPA No. 1128/2018 in CWJC No.1994/2015, deceased-Banwari Lal is entitled to Super Time Scale or not. In this regard, the respondents have apprised by filing a show cause and also passing an order to the extent that two and half percent of the posts were required to be determined for the purpose of grant of Super Time Scale. Deceased-Banwari Lal



name appears at Sl. No.167 in the concerned cadre whereas upto Sl No. 79 Super Time Scale benefit had been extended. In other words, deceased-Banwari Lal turn has not mature so as to grant Super Time Scale.

2. Taking note of these facts and circumstances, the present MJC stands dropped, reserving liberty to the petitioner to assail the order dated 01.03.2024 in accordance with law, before appropriate forum. Delay in compliance of the orders of this court of the year 2019 and the fact that respondents have slept over the matter for their many years and the petitioner is entitled to litigation cost and cost is quantified at Rs.5,000/-. Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of this order.

3. At this stage, learned Senior counsel Mrs. Nivedita Nirvikar appeared and apprised this court to the extent that *Sri Rajendra Chaudhary* and *Sri Krishna Prasad* are juniors to the deceased- Banwari Lal to that effect no material has been placed on record.

4. Accordingly, no further order is required.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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