

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4453 of 2023

1. Sabiha Fatma W/o- Md. Naushad Alam Resident of Mohalla- Ais Solution, Kohinur Market, Sabjibag, P.S.- Pirbahore, District- Patna and Permanent resident of Village- Pali, P.S.- Ghanshyampur, District- Darbhanga.
2. Dharendra Kumar, S/o- Harinarayan Prasad Resident of Village- Sikariya, P.S.- Chandi, District- Nalanda.
3. Sundar Lal Patwa, S/o- Suresh Prasad Resident of Mohalla- Dujra Purvi Gali, P.S.- Budha Colony, District- Patna.
4. Rajesh Kumar, S/o Late Ram Prasad Paswan Resident of Mohalla- Abul Aas Lane, Machhuatoli, P.S.- Kadamkuan, District- Patna.
5. Hemant Kumar, S/o Late Shiv Balak Prasad Resident of Village- Prahaladchak, P.S.- Fatuha, District- Patna.
6. Prakash Kumar, S/o- Abinash Chandra Resident of Jayaswal, B-17, Road No.- 18, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Agriculture Department, Bihar, Patna.
2. The Director Agriculture, Bihar, Patna.
3. The Director Horticulture, Agriculture Department, Bihar, Patna.
4. The Mission Director, Department of Agriculture, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Yashwant Kumar @ Chaman, Advocate
For the Respondent/s	:	Mr.Raghwanand (GA 11)
		Mr.Sanjay Kr. Tiwari, AC to GA 11

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 07-05-2024 The petitioners are Data Entry Operators appointed on contractual basis in the year 2007-08 in the Agriculture Directorate, along with one Amitabh Sinha (not a party in the instant writ petition as no relief is claimed against the said Amitabh Sinha).

2. It is contended on behalf of the petitioners that the

petitioners have been working in the Agriculture Department since their appointment till date as Data Entry Operators. In the case of another Data Entry Operator, namely, Amitabh Sinha, the honorarium was enhanced to (a) Rs. 11,928/- w.e.f. 01.07.2012 (b) Rs. 18,778/- w.e.f. 01.08.2014 (c) Rs. 20,515/- w.e.f. 01.07.2017 (d) Rs. 30,178/- w.e.f. 21.01.2020. It is submitted by learned Advocate for the petitioners that during pendency of the instant writ petition, his honorarium was enhanced to approximately Rs. 41,000/-.

3. The grievance of the petitioners is that the honorarium of the petitioners has not been extended in the similar manner as that of the honorarium of the said Amitabh Sinha. Over the said issue, the petitioners preferred a writ petition before this Court bearing C.W.J.C. No. 3039 of 2016. The said writ petition was disposed of on 20th of March, 2019 with the following directions:-

“It is submitted by the petitioners’ counsel that this does not take care of the grievance of the petitioners and that seeking parity with one Mr. Amitabh Sinha who is getting higher emolument, the petitioners would approach the Respondent No. 4. In the event such an application is made within four weeks, it is needless to say that claim of the petitioners should be considered by Respondent No. 4 by a reasoned and speaking order within a period of four months thereafter”

4. The petitioners accordingly made representation, meeting was held by the Departmental Secretary, Agricultural Department, Bihar on 15th of July, 2019. It was directed in paragraph 6 of the resolution of the said meeting that the honorarium which has been received by the Data Entry Operator, posted at State Horticulture Mission, the same honorarium would be paid to the Data Entry Operator appointed in Agricultural Department. In spite of such decision, there is disparity between honorarium in respect of the petitioners and the said Amitabh Sinha. The petitioners want honorarium at par with the said Amitabh Sinha.

5. The petitioners accordingly filed a representation to the Secretary, Agricultural Department, Bihar and the Director, Agricultural Department, Bihar, for parity of honorarium in respect of the petitioners with the said Amitabh Sinha, Data Entry Operator posted at the State Horticulture Mission. The said representation, dated 31st of January, 2023, still remains undisposed. Hence the instant writ petition.

6. The Secretary, Agriculture Department, Bihar, Patna and the Director, Agriculture, Bihar, Patna (Respondent Nos. 1 and 2) are directed to dispose of the representation submitted by the petitioners on 31st of January, 2023, to take

final decision with regard to the parity of honorarium of the Data Entry Operators with that of Amitabh Sinha within 6 weeks from the date of communication of this order by passing a reasoned and speaking order.

7. The instant writ petition stands disposed of.

(Bibek Chaudhuri, J)

uttam/-

U			
---	--	--	--