

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18690 of 2015

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Girija Devi Wife of Sri Nawal Kishore Singh, Retired Assistant Teacher from Upgraded Middle School, Bishunpura, P.S + Block- Sasaram, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of the Education Department, Government of Bihar, Patna.
2. The Principal Secretary of the Education Department, Government of Bihar, Patna.
3. The District Education Officer, Rohtas (Sasaram).
4. The District Programme Officer (Establishment), Rohtas (Sasaram).
5. The Block Education Officer, of Sasaram Block, District- Rohtas.
6. The Accountant General, Bihar, Birchand Patel Marg Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nawal Kishor Singh, Advocate
For the State	:	Mr. Raj Nandan Prasad, SC-9
For the Accountant General	:	Mr. Vivekanand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Accountant General.

2. The petitioner has filed the instant application for the following relief(s):-

“1. That, this is an application for issuance of an appropriate writ (s), order(s), direction(s) directing the respondents to consider and make necessary correction in the pay scale



fixed in selection grade of the Petitioner and as a consequence provide the other pensionary/terminal benefits which is being provided to the other simillary situated persons or juniors to the petitioner alongwith arrears with statutory interest.

And/or

Pass such any other order/orders which may deems fit and proper in the facts and circumstances of this case.”

3. At the outset, learned counsel for the petitioner submits that from the contents of the counter affidavit of the District Programme Officer (Establishment), Rohtas, Sasaram (respondent no.4), as per the statement made in paragraph no.10 thereof, it transpires that the pay of the petitioner has been fixed at Rs. 21,330/-. However the petitioner has still not been paid one more increment to which she is entitled. Paragraph no.10 of the aforesaid counter affidavit is quoted herein below for ready reference:-

“10. That it is stated that thereafter the answering respondent vide letter no. L-1699 dated 25.07.2016 sent the service book and pay fixation of the petitioner after fixing the pay of the petitioner at



Rs. 21,330/- to the District Accounts officer, Rohtas for its verification.

A photocopy of said letter no. L-1699 dated 25.07.16 is annexed herewith and marked as Annexure B to this counter affidavit.”

4. Learned counsel for the Accountant General in reference to paragraph no.5 of the counter affidavit filed on behalf of the Accountant General submits that on getting the required papers along with the sanction order, the pension of the petitioner has been revised.

5. Having heard learned counsel for the parties and in view of the facts and circumstances of the case, specially the statement made in paragraph no.10 of the counter affidavit of respondent no.4 as quoted hereinabove, in the opinion of the Court, nothing remains to be decided in the writ application and the same is disposed of.

6. So far as the petitioner not having received one more increment, which, according to learned counsel for the petitioner, she was entitled to, this Court finds that no such prayer has been made in paragraph no.1 of the writ application.



7. The petitioner will be at liberty to file a representation before the respondent concerned for her remaining grievances, which if filed shall be disposed of expeditiously.

(Partha Sarthy, J)

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