

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12676 of 2021

1. Pankaj Kumar Son of Late Kirandeo Singh Resident of Village - Ramdiri, P.S. - Matihani, District - Begusarai.
2. Avinash Kumar Son of Late Ram Sewak Mahto, Resident of Village - Shirmiya Vishnupur, P.S. - Matihani, District - Begusarai.
3. Virju Paswan Son of Late Parmeshwar Paswan, Residence of Village - Bathaul, P.S. - Chhaurahi, District - Begusarai.
4. Niranjana Kumar Pandey Son of Late Mahesh Chandra Pandey, Residence of Village - Fatoha, P.S. - Bachhwara, District - Begusarai.
5. Vikash Kumar Son of Late Mukund Kumar Sinha Residence of Village - Bhawanandpur, P.S. - Birpur, District - Begusarai.
6. Nirmalendu Kumar Nirala Son of Late Ramprवेश Mahto Residence of Village - Arjun Tola, P.S. Cheriya, Bariyarpur, District - Begusarai.
7. Pravin Kumar Son of Late Rameshwar Paswan, Residence of Village - Pokhariya, P.S. - Begusarai Sadar, District - Begusarai.
8. Shambhu Prasad Son of Late Maheshwar Prasad Residence of Village - Daniyalpur, Station Road, Ward No. 04, P.S. - Teghra, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Vikash Bhawan, Bailey Road, Patna.
2. Director, Secondary Education, Education Department, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. Regional Deputy Director, Education, Munger.
4. District Education Officer, Begusarai.
5. District Education Officer, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kishore Kumar Thakur Mr. Braj Kishore Singh
For the Respondent/s	:	Mr. Kumaresh Singh (Ac to Sc28)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-03-2024 Heard learned counsel for the parties.

2. The petitioners have filed this writ application for the following reliefs:-



(i) For a direction to the respondents to allow payment of salary to the petitioners in the pay-scale of Rs.4000-6000 in the light of the policy decision of the respondent state circulated by the letter contained in memo no.2424 dated 11.03.2013 and reiterated by subsequent letter no.7780 dated 30.07.2013 as well as recent letter no.8921 dated 07.12.2018, all issued by the Finance Department under the signature of the respondent secretary (Expenditure) of the said department.

(ii) For extending them the same benefit of salary in the pay scale of Rs.4000-6000, considering the fact that the other similarly situated Lower Division Clerks who entered the said cadre on being appointed on compassionate ground or by promotion either much after the appointment of petitioners on same dates have been allowed the said pay-scale of Rs.4000-6000, in the light of Judgment and order rendered in C.W.J.C. No.21926 of 2018 and C.W.J.C. No.16478 of 2018 as well as judgment and order rendered in L.P.A. No.167 of 2016.

3. Learned counsel for the petitioners submits that the case of the petitioners is similar to the case of the petitioners of C.W.J.C. No.6661 of 2021 and L.P.A. No.766 of 2019 and order



has been passed in the said cases by this Court.

4. Accordingly, the petitioners are directed to file a fresh representation before the R.D.D.E, Munger or respondent no.3 along with a copy of this order and other documents in support of their claim. The R.D.D.E., Munger shall dispose of the representation of the petitioner within a period of eight weeks' by way of passing a speaking and reasoned order, after keeping in the view the order passed in C.W.J.C. No.6661 of 2021 and L.P.A No.766 of 2019.

5. It is made clear that the R.D.D.E., Munger shall be held responsible for non-compliance of this order within the stipulated period.

6. The respondent no.3 shall also consider this fact that Civil Review No.236 of 2019, is pending before larger Bench of this Court.

7. Accordingly, the writ petition stands disposed of. This however, shall be subject to the final outcome of the result of Civil Review No.236 of 2019.

(Anjani Kumar Sharan, J)

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