

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4281 of 2021

1. Ashok Kumar Chaudhary, aged about 58 years, male, Son of Ramakant Chaudhary Resident of Paharpur, Anisabad, P.S.- Gardanibagh, District- Patna
2. Ashok Kumar, aged about 56 years, male, Son of Praduman Singh resident of Yarpur Rajputana, Phulwari, P.s.- Gardanibadh, district- Patna
3. Indra Narain Lal Karn, aged about 60 years, male, Son of Late Chaturbhuj Lal Das resident of Sherpur, P.S.- Tardih, District- Darbhanga.
4. Ranjit Kumar, aged about 59 years, male, Son of Late Rampyare Prasad Singh, resident of Benar, P.O.- Kaila, P.s.- Sare, District- Nalanda.
5. Braj Kishore Ojha, aged about 58 years, male, Son of Srikant Ojha, resident of Madhaul, P.S.- Saraiya, District- Muzaffarpur
6. Shankardayal Singh, aged about 57 years, male, Son of Late Sudama Singh resident of Jaipur, P.o.- Baikunthpur, P.S.- Itarhi, District- Buxar
7. Arvind Kumar Singh, aged about 57 years, male, Son of Late Jangbahadur Singh, resident of 22, Nirmal Niwas, Ambedkar Path, P.S.- Rukanpura, District- Patna.
8. Naresh Sah, aged about 55 years, male, Son of Chhathu Lal Gupta, resident of Maranga West, Ward no. 8, P.s.- Khajanchi Hat, District- Purnea
9. Ramesh Kumar Chaudhary, aged about 58 years, male, son of Shyam Sundar Choudhary, resident of Sudin Chawk, Tatma Toli, P.s.- J. Hat, District- Purnea
10. Ishwardayal Ram, aged about 58 years, male, son of Late Indradev Ram, resident of Bishunpoura, ward no. 11, P.s.- Itarhi, District- Buxar
11. Laxman Jha, aged about 59 years, male, son of Palat Jha, resident of Khuskibag, Station road, P.s.- Purnea, District- Purnea
12. Ajay Kumar, aged about 58 years, male, son of Anugrah Ram resident of 54, Nai Bazar, akrora, P.s.- Buxar, District- Buxar
13. Munilal Ram, aged about 53 years, male, son of late Premlal Ram resident of Mohalla- Pokhara, Hajipur, P.s.- Hazipur, District- Vaishali
14. Mohanji Dubey, aged about 59 years, male, son of Shrikant Dubey resident of Barki Basauli, P.s.- Industrial Area Buxar, District- Buxar
15. Sukhendra Kumar Singh, aged about 56 years, male, son of Late Nageshwar Singh resident of Tikari, P.o.- Bhadwa Bazar, P.s.- Rafiganj, District- Aurangabad
16. Naresh Kumar Upadhyay, aged about 60 years, male, son of Late Rajendra Prasad Upadhyay resident of panjiyara Par Nawada, Gondapur, P.s.- Nawada, District- Nawada
17. Braj Kishore Singh, aged about 57 years, male, son of Harinarain Singh resident of Agarpur, Lalganj, P.s.- Lalganj, District- Vaishali
18. Bharat Ram, aged about 56 years, male, Son of Sri Harihar Ram resident of Figni, P.s.- Bihea, District- Bhojpur



19. Md. Snbar, aged about 58 years, male, son of Md. Sahid resident of Harnaha Tola, Patna City, P.s.- Patna City, District- Patna
20. Madan Mohan Ojha, aged about 58 years, male, son of Late Jainarain Ojha resident of Karbigahia, P.s.- Jakkanpur, District- Patna
21. Anirudh Kumar Singh, aged about 58 years, male, son of Sidheshwar Prasad Singh resident of Siswan, ward no. 4, Gondapur, P.s.- Nawadah, District- Nawadah
22. Dashrath Kumar Pandey, aged about 58 years, male, son of Ram Naresh Pandey resident of Khuskibag, Station Road, P.s.- Sadar, District- Purnea
23. Molly Treesa, aged about 56 years, female, Daughter of Lukose resident of A/B 21 Ganga Apartment LCT Ghat, P.s.- Patliputra, District- Patna
24. Sunil Kumar Singh, aged about 57 years, male, Son of Arvind Kumar resident of Ramlakhan Path, Kankarbagh, P.s.- Kankarbagh, District- Patna
25. Baban Prasad, aged about 59 years, male, son of Jugeshwar Singh resident of Ward no. 14, Banarsi Tola, Bihea, P.s.- Bihea, District- Bhojpur
26. Shambhu Prasad Singh, aged about 58 years, male, son of Jugeshwar Singh resident of Rampur, Kumharkol, P.s.- Desari, District- Vaishali
27. Dinesh Kumar, aged about 59 years, male, son of Late Mithilesh Kumar Singh resident of Maldihiar Tola, Mokama, P.s.- Mokama, District- Patna
28. Upendra Singh, aged about 52 years, male, son of Hargovid Singh resident of Mahadeva, P.o.- Kenarchatti, P.s.- Bajirganj, District- Gaya
29. Dharendra Kumar Singh, aged about 59 years, male, son of Biseshwar Prasad singh resident of At/PO/PS- Malaypur, District- Jamui
30. Vijay Kumar Sahani, aged about 58 years, male, son of Banarsi Sahani resident of Shrinagar Marg, Sahewan Hata, P.s.- Khajanchi, District- Purnea
31. Sanjay Kumar Sinha, aged about 58 years, male, son of Sudhir Kumar Sinha resident of Manjhali Chowk, Amal Tola, P.s.- Khajanchi Hat, Distict- Purnea
32. Ranvir Kumar Pandey, aged about 55 years, male, son of Yamuna Pandey resident of Khuskibag, near pani tanki, p.s.- sadar purnea, District- Purnea
33. Manikant Chaurasai, aged about 60 years, male, son of Gajadhar Prasad Chaurasia resident of Ashram Road, Ward no. 10, P.s.- Araria, District- Araria
34. Arun Kumar, aged about 55 years, male, son of Late Nagendra Jha resident of Lakhan Kutir, Purvi Mainpura, near Patliputra Thana, P.s.- Patliputra, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Industries Department, Govt. of Bihar, Patna
4. The Director, Industries, Govt. of Bihar, Patna

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Sr. Advocate
Mr. Uday Pratap Singh, Advocate
Mr. Prashant Sinha, Advocate
For the State : Mr. Kinkar Kumar, SC-9
Mr. Suresh Kumar, AC to GP-1

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 16-04-2024

Heard Mr. Bindhyachal Singh, learned senior counsel assisted by Mr. Uday Pratap Singh, learned counsel appearing on behalf of the petitioners and Mr. KinKar Kumar, learned SC-9 appearing on behalf of the State.

2. This writ petition has been filed by the petitioners with the following prayers:

“(i) For necessary direction upon the respondent authorities to apply the resolution no. 4691 dated 14-09-2020 (Annexure-4) issued by the Finance Department, Govt. of Bihar, in the case of the petitioners and grant them the benefit of pension and other retiral benefits in terms of the old Pension Scheme by counting their services rendered in their Corporation.

(ii) For necessary direction upon the respondent authorities to first of all grant the petitioners their replacement pay in the 7th Pay Revision in terms of the pay they were getting in 4th Pay Revision in their parent Corporation and its fixation in 5th and 6th Pay Revision and then to fix their pay in the 7th Pay Revision and then pay the differential amount of salary to the



petitioners.”

3. However, prayer no. (ii) was deleted by the order of this Court dated 17.08.2021.

4. Though the petitioners have approached this Court with the prayer as extracted hereinabove, but the learned counsel appearing for the parties have consented for disposal of this case with a liberty to the petitioners to file an appropriate representation before the respondent no.3 along with necessary documents/ order of this Court passed in identical matters for consideration by the respondent no.3.

5. In view of the above submissions made by the learned counsel for the parties, this writ petition shall stand disposed of with a liberty to the petitioners to file an appropriate representation before the respondent no.3 along with the necessary documents/ order of this Court passed in an identical matters. As and when such a representation is filed by the petitioners as above, the respondent no.3 shall fairly consider the case of the petitioners and pass a reasoned order as expeditiously as possible preferably within a period of three months from the date of receipt of



such representation. It is also provided that if the case of the petitioners is found identical to those with whom the petitioners are seeking parity, similar relief(s) shall be granted to the petitioners in accordance with law, within the time stipulated above.

6. The writ petition is disposed of.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.04.2024
Transmission Date	NA

