

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12494 of 2024

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1. Indu Devi Wife of Late Ganga Prasad Mandal, Resident of Village- Ambho, P.O.- Kharik Bazar, P.S.- Kharik, District- Bhagalpur.
 2. Rizwana Khatoon, Wife of Late Fakhrul Hasan, Resident of Village- Crescent Public School, Badrealmpur P.O.- Bhagalpur City, P.S.- Mujahidpur, District- Bhagalpur.
 3. Md. Azarail, Son of Late Abdul Aziz, Resident of Village - Bakhdada, P.S.- Sanhoula, District- Bhagalpur.
 4. Rakesh Kumar, Son of Late Vivekanand Choudhary, Resident of Village Telghi, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, General Administrative Department, Govt. of Bihar, Patna.
3. The District Magistrate, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh, Advocate
For the Respondent/s : Government Advocate (10)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-08-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. Learned counsel for the petitioners submits that the
present writ petition has been filed with following reliefs:-

*(i) For issuance of writ in
the nature of mandamus commanding
the respondents to make payment of
salary to the petitioners in the pay*



scale of 4000-6000 from the date of their promotion which is being paid to the other similarly appointed Lower Division Clerks in light of order dated 27.02.2019 passed in CWJC No. 9633 of 2016 analogous cases, order dated 28.02.2019 passed in CWJC No. 11466 of 2016 and order dated 23.06.2017 passed in LPA No. 167 of 2016.

(ii) For a further direction to the respondents to make payment of arrears of salary to the petitioners in the said pay scale of Rs. 4,000-6000 and its corresponding higher pay scale and grade pay which has been allowed to similarly situated Lower Division clerk/ Store keeper/ Correspondence Clerk in compliance of different orders passed by this Hon'ble Court.

(iii) For any other



*relief/reliefs if petitioners found entitle
in the facts and circumstances of the
present case.*

3. Learned counsel for the petitioners submits that they had filed representation before the District Magistrate, Bhagalpur vide Annexure- P/15 but till date no decision has been taken by the District Magistrate.

4. Learned counsel for the State submits that a direction may be given to the District Magistrate, Bhagalpur, (Respondent No. 3) to take a decision on the representation of the petitioners.

5. In this view of the matter, the writ petition stands disposed off directing the District Magistrate, Bhagalpur, (Respondent No. 3) to pass a reasoned and speaking order on the representation filed by the petitioners before them within 90 days from the date of production of order.

6. Liberty is hereby granted to the petitioners to supplement their representation further.

(Dr. Anshuman, J.)

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