

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13082 of 2024

1. Sachin Kumar Son of Late Nirendra Yadav Resident of village- Brahamchari P.O.- Lagma, P.S.- Kahalgaon, District- Bhagalpur.
2. Prabeen Kumar Choudhary Son of Late Ashok Kumar Choudhary Resident of Mohalla- Lalkothi Road, mohnidhar, PO- Katihar, P.S.- Katihar, District- Katihar.
3. Rajeev Ranjan Son of Late Hemlal Hembram Resident of village- Dhanori, P.O.- Chhoti Naki, P.S.- Sanokhar, District- Bhagalpur.
4. Ritesh Kumar Son of Late Rishi Kumar Mandal Resident of village- Shyampur, P.O.- Lalapur Bhader, P.S.- Kahalgaon, District- Bhagalpur.
5. Saket Bihari Son of Late Bainkut Bihari Singh Resident of village- Mohanpur, P.O.- Dharhara, P.S. Dharhara, District- Munger.
6. Sanjay Kumar Poddar Son of Late Krishnadev Poddar Resident of village- Amarpur, P.O.- Amarpur, P.S.- Bihpur, District- Bhagalpur.
7. Suraj Kumar Son of Late Raghunandan Das Resident of village- Belthu, P.O.- Harpur, P.S.- Shahkund, District- Bhagalpur.
8. Alok Kumar Son of Late Bipin Bihari Singh Resident of village- Bodhbihar Colony, P.O.- Kahalgaon, P.S.- Kahalgaon, District- Bhagalpur.
9. Baby Kumari Wife of Late Raghwendra Kumar Resident of village- Belthu, P.O.- Harpur, P.S. Shahkund, District- Bhagalpur.
10. Praveen Kumar Bharti Son of Late Ramjivan Singh Das Resident of village- Kharmanchak, P.O.- Kharmanchak, P.S.- Adampur, District- Bhagalpur.
11. Md. Saquib Khan Son of Late Abdulbari Khan Resident of village- Islamnagar Bhikanpur Gumti No-3, P.O.- Bhagalpur, P.S. Ishakchak, District- Bhagalpur.
12. Milan Kumar Son of Niranjan Thakur Resident of village- Ratanpur P.O. Madarganj, P.S. Amdanda, District- Bhagalpur.
13. Mayank Raj Son of Late Nabhay Kumar Ghosh Resident of village- Joyti Bihar Colony, P.O.- Bahadurpur, P.S. Industrial Area Zero Mile, District- Bhagalpur.
14. Shekhar Suman Son of Late Sadashiv Dutta Resident of village- Laluchak Angari, P.O.- Ishakchak, P.S.- Lodipur, District- Bhagalpur.
15. Abinash Kumar Son of Late Durga Prasad Bhagat Resident of village- V.N Mishra Gali Bhikhanpur, P.O.- Bhagalpur, P.S. Ishakchak, District- Bhagalpur.
16. Sanju Kumari Wife of Late Shambhu Kumar Resident of village- Khabaspur, P.O.- Khabaspur, P.S. Ekchari (Pirpanti), District- Bhagalpur.
17. Uma Singh wife of Late Dhirendra Kumar Shahi Resident of village- Vikramshila Colony Ramshar, PO- Bhagalpur, P.S.- Tatarpur, District- Bhagalpur.
18. Divyansh Darshan Son of Late Dhananjay Prasad Resident of village- Mahmaddpur, P.O.- Bhatti, P.S. Goriya Kothi, District- Siwan.
19. Saurav Raj Son of Late Santosh Kumar Choudhary Resident of village- Sunderpur, P.O.- Pirpanti, P.S. Pirpanti, District- Bhagalpur.



20. Jitendra Kumar Rajak Son of Late Bijay Kumar Rajak Resident of village- Chunnisah Lane Nathnagar, P.O.- Nathnagar, P.S. Nathnagar, District- Bhagalpur.
21. Sanoj Kumar Paswan Son of Late Parmanand Paswan Resident of village- Jhandapur, P.O.- Jhandapur, P.S. Bihpur, District- Bhagalpur.
22. Pradip Kumar Yadav Son of Late Mahesh Prasad Yadav Resident of village- Chhoti Naki, P.O.- Chhoti Naki, P.S. Sanokar, District- Bhagalpur.
23. Nitu Kumari Daughter of Late Gouri Shankar Ram Resident of village- Mandroja Lane, P.O.- Naya Bazar (Bhagalpur City), P.S. Tatarpur District- Bhagalpur.
24. Nagendra Prasad Yadav Son of Late Sardanand Yadav Resident of village- Latra, P.O.- Latra, P.S. Gopalpur, District- Bhagalpur.
25. Naval Kishor Mandal Son of Late Narayan Mandal Resident of village- Jwaripur, P.O.- tilakamanjhi, P.S. Tilkamanjhi, District- Bhagalpur.
26. Jyoti Ram Kumari Wife of Late Jai Shankar Singh Resident of village- Marufchak, P.O.- Mirjanhat, P.S.- Mujhaidpur, District- Bhagalpur.
27. Jyotishna Kumari wife of Late Gyaneshwar Mandal Resident of village- Puranisarai, P.O.- Champanagar, P.S.- Nathnagar, District- Bhagalpur.
28. Manoj Kumar Rajak Son of Late Kamleshwari Rajak Resident of village- Shivanarayanpur P.O.- Mathurapur, P.S. Kahalgoan, District- Bhagalpur.
29. Rohan Kumar Son of Late Birendra Das Resident of village- Kharik Bazar Ward No.5, P.O.- Kharik Bazar, P.S. Kharik Bazar District Bhagalpur.
30. Keshav Kumar Son of Late Ravindra Kumar Singh Resident of village- Bahadrapur, P.O.- Bahadurpur, P.S. Industrial Area Zero mile, District- Bhagalpur.
31. Swarnim Kumar Jha Son of Late Kiran Devi, Fathers Name- Sri Ratan Kumar Jha, Resident of village- Baijani, P.O.- Baijani, P.S.- Jagdishpur District- Bhagalpur.
32. Himanshu Kumar Son of Late Gaya Prasad Mandal Resident of village- Shankarpur, P.O.- Shankarpur, PS- Sabour, District- Bhagalpur.
33. Bishnu Kumar Son of Late Vijay Kumar Resident of village- Bhuwalpur, Basantpur P.O.- Fathapur, PS. Nathnagar, District- Bhagalpur.
34. Purnendu Bhushan Das Son of Late Tara Bhushan Das Resident of village and P.O.- Lakhanpur, PS. Bath, District- Bhagalpur.
35. Huma Rehman Daughter ofr Late Azizur Rehman Resident of village- Barahpura, PO- Barahpura, P.S. Ishakchak, District- Bhagalpur.
36. Binamrata Mandilwar Wife of Ajay Kumar Mandilwar Resident of village- A.S. Tower flat No. 306, R.B Surya Prasad Road, PO- Bhagalpur, P.S- Barari, District- Bhagalpur.
37. Amit Kumar Son of Late Jaldhar Prasad Raut Resident of village- Nurpur Fulwari, P.O- Nathnagar P.S. Madhusudanpur 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, Adv.
For the State : Mr. Raghwanand, (GA-11)
Mr. Sanjay Kr. Tiwari (AC to GA-11)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-09-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

“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 Rs.4000-6000 from the date of their appointment 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 and 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.4000-6000 and its corresponding higher pay scale and grande 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 entitled in the facts and circumstances of the present case.”

3. Learned counsel for the petitioners submits that the representation in this regard has been filed before the District Magistrate, Bhagalpur (respondent no.3) for grant of relief. Counsel submits that the genesis of the relief is based on the judgment passed by this Court mentioned in Para-I of the prayer of the present writ petition itself. Counsel further submits that the representation is still pending in which no final decision has been taken by the authority concerned.

4. Learned counsel for the State submits that the petitioners representation is still pending.

5. In this view of the matter, the District Magistrate, Bhagalpur (respondent no.3) is hereby directed to take decision on the petitioner's representation and if, it has been found that



the case of the petitioners are exactly covered from the cases on which petitioners are relying then in that case, the District Magistrate, Bhagalpur (respondent no.3) shall pass order in their favour and if, it has been found that they are not entitled, then in that case, the District Magistrate, Bhagalpur (respondent no.3) shall pass a reasoned and speaking order within 90 days from the date of production/receipt of this order.

6. Accordingly, the present writ petition stands disposed off.

(Dr. Anshuman, J)

Divyansh/-

U			
---	--	--	--

