

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14741 of 2024

1. Ramsharan Prasad S/o Late Grija Nandan Prasad, R/o Mohalla- Islam Toli, Ward No.- 24, Near Malakar Store Gali, P.O., P.S. and District- Aurangabad.
2. Shukdeo Prasad, S/o Late Ramashray Ram, R/o Village and P.O.- Barwa (West), Ward No.- 1, P.S.- Lalbora, District- East Champaran.
3. Kartik Chandra Manjhi, S/o- Beuchandra Manzi, R/o Mohalla- Khutadih Sonari, House No.- 357/30/B, P.O. and P.S.- Sonari, District- East Singhbhum, Jamshedpur.
4. Jai Kishor Prasad, S/o- Sri Gauri Ram, R/o Village and P.O.- Patiyawan, P.S.- Shakurabad, District- Jehanabad.
5. Deepak Kumar, S/o Satyanarayan Prasad, R/o Mohalla- Makchund Tali, D-98, P.O. and P.S.- Chutiya, District- Ranchi.
6. Naseem Ahmad, S/o Late Mohammad Tahid, R/o Mohalla- F/29, Koshi Colony, Ward No.- 13, P.O., P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through its Finance Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Engineer-in- Chief-cum- Special Secretary, Water Resources Department, Govt. of Bihar, Sinchai Bhawan, Patna.
4. The Chief Engineer, Irrigation Creation Department, Water Resources Department, Aurangabad, District- Aurangabad.
5. The Superintending Engineer, North Koel Canal Circle, Aurangabad, District- Aurangabad.
6. The Superintending Engineer, Ayojan and Monitoring Circle, Aurangabad, District- Aurangabad.
7. The Superintending Engineer, Design Ayojan and Monitoring Circle, Aurangabad, District- Aurangabad.
8. The Superintending Engineer, Eastern Koshi Tatbandh Circle, Saharsa, District- Saharsa.
9. The Executive Engineer, North Koel Bandh and Braj Division, Mohammadganj, Palamu.
10. The Executive Engineer, Ayojan and Monitoring Division, Aurangabad, District- Aurangabad.
11. The Executive Engineer, Batane Head Work Division, Amba, District- Aurangabad.
12. The Executive Engineer, Design, Division Aurangabad, District- Aurangabad.
13. The Executive Engineer, Drainage Division, Saharsa, District- Saharsa.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lalan Kumar Singh
For the Respondent/s : Mr.Addl. Advocate General (4)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-09-2024 Heard learned counsels appearing on behalf of the
petitioners and learned counsel for the State.

2. Petitioners has *inter alia* prayed for following
reliefs in the paragraphs No.1 of the writ petition:-

“By this writ application, the petitioners seek indulgence of this Hon’ble Court for issuance of an appropriate writ or writs, direction or directions commanding the respondents to consider and grant of similar pay scale of rs.6500-10500 (P.B.) 2+ 4800) in 1st ACP and Rs10000-15200 (Pay Band 3 + 6600) in 2nd ACP in the light of the judicial order passed in CWJC NO.18433 of 2016 and analogous cases, which has been affirmed by the Hon’ble Apex Court on 25.4.2023 as well as the clause 4C (1) of the Bihar State Litigation Policy, 2011 under Chapter IV and the said pay scale has been granted to the similarly situated persons by resolution of the Finance Department, Bihar bearing Memo no.163 dated 8.1.2016.”

3. Learned counsel appearing on behalf of the
petitioners seeks to file a detailed representation before
respondent no.4 (The Chief Engineer, Irrigation Creation Water
Resources Department, Aurangabad) for redressal of their



grievance, as prayed for in the present writ petition, in view of the law laid down by the Apex Court in case of **Amresh Kumar Sinha & Ors. v. The State of Bihar & Ors. (SLP (C) Nos. 8219-8226 of 2016)** and later on clarified by the Full Bench of this Court in the case of **Kamlanand Thakur vs. State of Bihar & Ors. (C.W.J.C. No. 18727 of 2017)**.

4. Considering the aforesaid submission made on behalf of the petitioners, the respondent no.4 is required to call for service particulars of the petitioners and verify, as to whether, any disciplinary action was taken against them and decide the grievance of the petitioners expeditiously, in light of the law laid down by the Apex Court in the case of **Amresh Kumar Sinha (Supra)** and the Full Bench of this Court in the case of **Kamlanand Thakur (Supra)**.

5. Accordingly, the present writ petition application stands disposed of.

(Purnendu Singh, J)

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