

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2282 of 2019

1. Ram Sakal Pandit, Son of Late Raj Kumar Pandit, Resident of Village- Mehasoal, Ward No.19, P.S.- Sitamarhi, District- Sitamarhi
2. Md. Usman, Son of Akhatar Hussan, Resident of Village- Gayghat Benibad Near Kabrisation, P.S.- Gayaghat, District- Muzaffarpur
3. Ramakant Mishra, Son of Nageshwar Mishra, Resident of Mohalla- Maniyari, P.S.- Maniyari, District- Muzaffarpur
4. Abhinash Kumar Saw, Son of Late Sita Sah, Resident of Village- Rajhara Kothi, P.S.- Bishrampur, District- Palamu, State- Jharkhand
5. Baidnath Rai, Son of Uchit Rai, Resident of Village- Abhimanpur, Chihuta, P.S.- Oarari, District- Muzaffarpur
6. Goari Shankar Prasad, Son of Sadhu Sharan Prasad, Resident of Village- Chitara, P.S.- Sonbarsa, District- Sitamarhi
7. Md. Haidar, Son of Md. Safic Ansari, Resident of Mohalla- Mehsoal, P.S.- Sitamarhi, District- Sitamarhi
8. Dinesh Yadav, Son of Kamaladhari Yadav, Resident of Village- Nanukala, P.S.- Jagarnathpur, District- Darbhanga
9. Bhola Mandal, Son of Sidheshwar Mandal, Resident of Village and P.S.- Sursand, District- Sitamarhi
10. Mahadeo Thakur, Son of Rdal Sharma, Resident of Village- Haroata, Dumra, P.S.- Shivhar, District- Shivher
11. Suresh Mahato (Helper), Son of Late Devender Mahato, Resident of Village- Ara Dharahara, P.S.- Hajipur, District- Vaishali
12. Hanschandra Jha, Son of Late Rajendra Jha, Resident of Village- Mazalis (Kharahar), P.S.- Meenapur, District- Muzaffarpur
13. Kailash Prasad Shah, Son of Badhu Shah, Resident of Village- Ward No.2, Brahampur Krishna Toli M.I.T., P.S.- Brahampur, District- Muzaffarpur
14. Jay Prakash Singh, Son of Baleshwar Singh, Resident of Village- Chhitartoli, P.S.- Maniari, District- Muzaffarpur
15. Upender Narayan Singh, Son of Rajeshwar Singh, Resident of Village- Rustampur, P.S.- Hayaghat, District- Darbhanga
16. Ram Bilas Choudhary, Son of Ram Swarup Chaudhary, Resident of Village- Bheriyarawa, Rupdih District- East Champaran
17. Madan Mohan Jha, Son of Late Krishdeo Jha, Resident of Village- Singhwara, Beerpur (Bujurg), P.S.- Mahua, District- Vaishali
18. Arun Kumar Sharma, Son of Shankar Prasad Sharma, Resident of Mohalla- Bibiganj, Govindpuri Gumati No.2 Bhagwanpur, P.S.- Bhagawanpur, District- Muzaffarpur
19. Lalan Rai, Son of Narayan Bhat, Resident of Balbandh, P.S.- Balbandh,



District- Bhojpur

20. Ram Nath Singh Rajesh, Son Rambiksh Prasad, Resident of Village- Chehera Kalan, P.S.- Goroal, District- Vaishali
21. Ram Bilas Thakur, Son of Dangar Thakur, Village- Daud Chapra, P.S.- Minapur, District- Muzaffarpur
22. Mangal Mahato, Son of Late Ganesh Mahato, Resident of Village- Dand Chapra, P.S.- Minapur, District- Muzaffarpur
23. Gopal Datt Shukala, Son of Late Ram Nath Shukala, Resident of Village- Muradpur Durra, P.O.- Bhikhampur, P.S.- Ahiyapur, District- Muzaffarpur
24. Ashok Kumar Sinha, Son of Kapil Deo Narayan, Resident of Village- Ganibar Attarddh Pokharia, P.S.- Musahari, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The Bihar State Road Transport Corporation through its Administrator
2. The Administrator, Bihar State Road Transport Corporation, Parivahan Bhawan, Beerchand Patel Path Patna, Bihar
3. The Chief Accountant Officer, Bihar State Road Transport Corporation, Pariwahan Bhawan, Beerchand Patel Patha Patna, Bihar
4. The Chief of the Operation Bihar, State Road Transport Corporation Private Bhawan
5. The Chief Secretary, Government of Bihar, Patna
6. The Principal Secretary, Transport Department, Government of Bihar
7. The Principal Secretary, Finance Department, Government of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh,
For the Respondent/s : Mr. Sarvesh Kumar, GP- 24
For the B.S.R.T.C. : Mr. Prabhat Kumar Verma, Sr. Advocate
Mrs. Jahan Ara, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 11-11-2024

Heard the parties.

2. The petitioners, who are the retired employees of
the Bihar State Road Transport Corporation (hereinafter referred



to as 'the Corporation), have preferred the present writ petition seeking a direction upon the concerned respondent to ensure payment of due salary, C.P.F., Gratuity, Unutilized leave, apart from the benefits accrued on account of 5th and 6th Pay Revision.

3. Learned Advocate for the petitioners contended that some of the identically situated persons had approached before the Hon'ble Supreme Court in SLP (Civil) Diary No(S). 12692 of 2022 wherein the Hon'ble Supreme Court allowed the petitioners to file representation; with further order that if such a representation is not considered, or if such a representation is rejected, it will be open to the petitioner to approach the High Court.

4. Adverting to the aforesaid facts, learned Advocate for the petitioners thus contended that in the light of the order passed by the Hon'ble Supreme Court, the petitioners have also filed representations before the concerned respondent on 02.05.2023 and 17.10.2023 along with the order of the Hon'ble Supreme Court, but till date the respondent authorities are sitting tight over the matter and not ensuring the benefits of arrears of difference of salary and other benefits on account of 5th and 6th Pay Revision.

5. Learned Advocate for the Corporation



vehemently opposed the contention of the petitioners and vigorously contended that all the admissible dues of the petitioners have been paid. The petitioners have already retired much earlier and some of them have also approached this Court earlier. However, despite the fact that admissible benefits have been accorded to them, they approached before the authorities concerned and the Court time and again.

6. Having considered the submissions advanced on by the learned Advocates for the parties and taking note of the limited grievance of the petitioners, as also the fact that for redressal of their grievances, the petitioners have already filed representations along with the order passed by the Hon'ble Supreme Court in SLP (Civil) Diary No(s). 12692 of 2022, which are pending consideration before the concerned respondent, this Court has left with no option, but to dispose of the present writ petition with a direction to the respondent no.2 to consider the claim of the petitioners afresh and pass a reasoned and speaking order.

7. Suffice it to say that in case the claim of any of the petitioners find favour, admissible benefits must be paid to him/them.

8. The entire exercise in this regard must be



completed within a period of twelve weeks from the date of receipt/production of a copy of this order.

9. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.11.2024
Transmission Date	NA

