

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14015 of 2024

1. Ram Bahadur Singh S/o Late Kapil Dev Singh, R/o village-Khabradih, P.O.-Khabra, District-Muzaffarpur.
2. Jata Shankar Choudhary, S/o Late Ravichandra Choudhary, R/o Village-Darahar, Ward No. 13, P.O.-Laheiyar Saray, P.S.-Bahadurpur, District-Darbhanga.
3. Aditya Prasad, S/o Late Ramjee Prasad, R/o Mohalla-Pramila Niwas, New Colony, Pokhariyapir, P.O.-Raman, P.S.-Kajimahammadpur, District-Muzaffarpur.
4. Jitendra Prasad Sharma S/o Late Paltoo Thakur, R/o Village and P.O.-Dubha, P.S.-Sakara, District-Muzaffarpur.
5. Bhairo Ray, S/o Late Dhurakheli Ray, R/o Village and P.O.-Khabda, P.S.-Sadar Bhagwanpur, District-Muzaffarpur.

... .. 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 Chief Engineer, Irrigation Department, Muzaffarpur, District-Muzaffarpur.
4. The Superintending Engineer, Water Drainage Circle, Muzaffarpur, District-Muzaffarpur.
5. The Superintending Engineer, Quality Control Irrigation (creation) Circle, Patna.
6. The Superintending Engineer, Flood Control and Water Drainage Circle, Muzaffarpur, District-Muzaffarpur.
7. The Superintending Engineer, Design and Planning Circle, Muzaffarpur, District-Muzaffarpur.
8. The Executive Engineer, Water Drainage Division, Muzaffarpur, District-Muzaffarpur.
9. The Executive Engineer, Quality Control Irrigation (creation) division, Darbhanga, District-Darbhanga.
10. The Executive Engineer, Design Division, Muzaffarpur, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amit Anand
For the Respondent/s : Mr.Standing Counsel 11

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN



ORAL ORDER

2 23-09-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The present writ petition has been filed for directing/commanding the Respondents to consider and grant of similar pay scale of Rs. 6500-10500 {P.B.-2+4800} in 1st ACP and Rs. 10000-15200 {P.B.-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 25.04.2023 as well as the clause 4 C (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 Resoulution of the Finance Department, Bihar bearing Memo No. 163 dated 08.01.2016.

3. Learned counsel for the petitioners submits that the petitioners of the present writ petition has filed different representations before different authorities and those representations are pending (annexed as Annexure-P/5) on which till date, no decision has been taken by the respective respondents.

3. Learned counsel for the State submits that the petitioners case is squarely covered by the decision of the Hon'ble Supreme Court of India. Counsel further submits that



the representations have been filed to the different authorities and petitioners may be directed to file the representation before one and the same authority.

4. As such, it is directed to the petitioners that they shall file a fresh representation before the Principal Secretary, P.H.E.D., Bihar, Patna (respondent no.2) along with a copy of this order who shall pass a reasoned and speaking order after filing of the representation in light of Clause 4.C of the Bihar State Litigation Policy, 2011 considering the merit or demerit of the petitioners claim within 90 days from the date of filing of the representation.

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

(Dr. Anshuman, J)

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