

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1267 of 2018**

**In**  
**Civil Writ Jurisdiction Case No.13185 of 2017**

Vijay Narain Sinha Son of Late Nritya Narain Singh, Resident of Mohalla-F/17, P.C. Colony, Kankarbag, P.O. and P.S. Kankarbag, District-Patna, the retired Accounts Clerk, Water Resources Department, Water Ways Division, Ghoshi, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Sri Anjani Kumar Singh, The Chief Secretary, Government Of Bihar, Patna
2. Smt. Sujata Chaturvedi, son of not known to the petitioner presently posted as the Finance Secretary, Finance Department, Government of Bihar, Patna.
3. Sri Rahul Singh, son of not known to the petitioner, presently posted as the Secretary Expenditure, Finance Department, Government of Bihar, Patna.
4. Sri Arun Kumar Singh, son of not known to the petitioner, presently posted as the Principal Secretary, Water Resources, Department, Government of Bihar, Patna.
5. Sri Rajesh Kumar, son of not known to the petitioner, presently posted as the Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water Resources Department, Government of Bihar, Patna.
6. Sri Ashok Kumar, son of not known to the petitioner presently posted as the Chief Engineer, Water Resources Department, Gaya.
7. Sri Ranjan Kumar, son of not known to the petitioner presently posted as the Superintending Engineer, Water Resources Department, Water Ways Circle, Ghoshi, District- Jehanabad.
8. Sri Anil Kumar, son of not known to the petitioner presently posted as the Executive Engineer, Water Resources Department, Water Ways Division, Ghoshi District- Jehanabad.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anita Kumari  
For the Opposite Party/s : Mr.Vinay Kirti Singh - G A 2

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

9      12-09-2024                      Heard Mr. S.B.K. Mangalam, learned Counsel for the  
petitioner and the State.

2. The present writ petition has been preferred for the



grant of following relief/s:-

*(i) for issuance of an appropriate writ in the nature of certiorari for quashing of a part of the Resolution dated 30.06.2016 passed by the Respondent no.3 and contained in his memo no.5276 dated 30.06.2016 whereby and where under the Respondent no.3 has been pleased to continue the benefits of the aforesaid Government Resolution only to the petitioners of the two writ petitions on the ground that by virtue of restricting the benefits only to the writ petitioners, the Respondent no.3 have tended to create a class within the class of Senior Accounts Clerk by putting them in two different pay-scales;*

*(ii) for issuance of an appropriate writ in the nature of certiorari for quashing the letter dated 07.10.2016 issued under the signature of the Respondent no.3 and contained in his memo no.8083 dated*



*07.10.2016, whereby and where under the Respondent no.6 has been pleased to direct that the benefits of Government Resolution No.163 dated 08.01.2016 and Resolution no.5276 dated 30.06.2016 would be available only to the writ petitioners of the two writ petitions and would not be available to any other Accounts Clerk;*

*(iii) for a declaration that if the petitioner is also a Non- Graduate and he is, therefore, similarly situated to the writ petitioners of C.W.J.C. No.16346 of 2011 (Ashok Kumar & others Vs. The State of Bihar and others), the Respondents cannot deny the benefits of similar pay-scale to Senior Accounts Clerk to the petitioner, if they are similarly situated and they had been discharging the similar duties of Senior Accounts Clerk;*

*(iv) for issuance of an appropriate writ in the nature of mandamus, commanding and directing the Respondent*



*Authorities for grant of benefits of first Assured Career Progression (hereinafter referred to A.C.P.) to the petitioner in the pay-scale of Rs.6500-10500 and its corresponding pay-scales in view of the law laid down by this Hon'ble Court in the case of Ashok Kumar and others and modified their earlier order by which the benefits of A.C.P. has been granted to the petitioner including their letter contained in memo no. 860 dated 18.07.2014 whereby and where under the benefits of third A.C.P. has been granted to the petitioner with effect from 01.01.2009 in the pay-scale of Rs.9,300-34,800, PB-2, Grade Pay-4800;*

*(v) for issuance of any other appropriate writ/writs, order /orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.*

3. Pursuant to the last order passed on 22.08.2024, a supplementary show-cause on behalf of the opposite party No. 4



to 8 has been filed in the Court and as per paragraph 3 to 6, the payments have already been made to the petitioner which has been incorporated.

4. Learned Counsel for the petitioner submits that he will look into it and if still anything has been left, he will be approaching the opposite party No. 8 for the said purposes.

5. Granting said liberty, MJC No. 1267 of 2018 stands disposed of.

**(Rajiv Roy, J)**

Nirajkrs/-

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