

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16371 of 2023

1. Sudist Narayan Prasad Son of Late Baijnath Prasad Resident of Village - Partapur, P.O. and P.S. - Mehshi, District- East Champaran, (Retired Driver Transmission Zone Muzaffarpur).
2. Mohan Singh Son of Late Mahadeo Singh Resident of Village - Berkap, P.O. and P.S. Darihat, District- Rohtas, (Retired Driver from Transmission Circle Mathurapur, Dehri on sone, Rohtas).
3. Siya Sundari Devi, Wife of Late Ganga Dayal Prasad, (retired driver from PESV store Patna on 30.06.2013 died on 25.03.2019), resident of Harni Chak School Road, Beur, Hulas Vihar, P.S. - Beur, District- Patna.
4. Suresh Chandra Mishra, Son of Late Satyadeo Msihra, Resident of Behind Sanjay Cinema, Brahmpura, P.S. and District- Muzaffarpur, (Retired Driver M.T.P.S. Kanti Muzaffarpur).
5. Kailash Thakur, Son of Late Jagdish Thakur, Resident of Dronpur, P.S - Ahiyapur, District- Muzaffarpur, (Retired as Driver from Transmission Zone Muzaffarpur).
6. Most. Manmati Devi, Wife of Late Bal Kishun Rai, (retired as Driver from C.E.S.A. Patna), resident of Sanjay Nagar, Main Road, P.O. - G.P.O. Patna, P.S. - Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Vidhut Bhawan, Bailey Road, Patna.
2. The Chairman-cum Managing Director, The Bihar State Power Holding Company, Vidyut Bhawan, Bailey Road, Patna.
3. The Managing Director North Bihar Power Distribution Company Limited Vidyut Bhawan, Bailey Road, Patna.
4. The Managing Director South Bihar Power Distribution Company Limited Vidyut Bhawan, Bailey Road, Patna.
5. The Managing Director Bihar State Power Generation Company Limited, Vidyut Bhawan, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-04-2024

The present writ petition has been filed



seeking the following reliefs:-

"1.For issuance of an appropriate writ in the nature of Mandamus seeking direction to respondents to implement the Judgement/ order passed by the Hon'ble High Court in which has been affirmed in LPA No. 1375 of 2013 by this Hon'ble Court vide order dated 12.7.2017 and also in S.L.P. No. (Civil) No. 9343 of 2018 by the Hon'ble Supreme Court vide order dated 1.5.208 with respect to the petitioners also who were/are similarly situated vehicle drivers, but by Memo No. 960 dated 27.08.2018 and office order No. 59 dated 15.01.2021 Judgement/order have been implemented upon 44 vehicle drivers and 20 (twenty) vehicle drivers only leaving petitioners who are also entitled for grant of same benefit.

ii) For issuance of appropriate writ in the nature of Mandamus seeking direction to respondents to grant the benefit of pay Scale of Rs. 725-1115 with effect from 01.04.1983 and Rs. 1400-2450 w.e.f. 01.01.1986 respectively alongwith all consequential revised pay scale as such benefit have been provided to 44 similarly situated persons in view of



order passed in C.W.J.C. No. 4 of 2006, twenty persons in C.W.J.C. No. 1102 of 2019 but the petitioners have not been granted such benefit and thus discriminated from other persons who had granted such benefits.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent no. 2 i.e. the Chairman cum Managing Director, Bihar State Power Holding Company, Bihar, Patna, for redressal of their aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioners, before the Chairman-cum-Managing Director, Bihar State Power Holding Company, Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter and in case any outstanding dues are found payable, the same shall be paid to the petitioners,



within the same time frame.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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