

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18134 of 2024

-
-
1. Choudhury Imran Raza @ Chowdhury Imran Raza, Son of Late Choudhury Mojib Raza @ Chowdhury Mojib Raza, Resident of Flate No. C/2, Swapna Apartment, P.S. Pirbahore, District- Patna.
 2. Amode Kumar Sinha, Son of Late Ganpat Sahay, Resident of Flat No. 203A, Sanjukta Apartment, Main Road, Kankarbagh, P.S. Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department, Bihar, Patna.
2. The Accountant General, Bihar, Bir Chand Patel Path, Patna.
3. The Secretary Finance (Resources) Department, Government of Bihar, Patna.
4. The Secretary, Social Welfare Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Mahasweta Chatterjee, Advocate
For the Respondent/s : Mr. Navnit Kumar, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-12-2024 Heard Ms. Mahasweta Chatterjee, learned Advocate

for the petitioner and Mr. Navnit Kumar, learned Advocate for

the State.

2. The petitioners seek quashing of the resolution no.
7831 dated 22.07.2024 issued under the signature of respondent
no. 3 to the extent by which it has been resolved that
Government employees who has retired after 11.04.2023 up to
30 June/ 31st December will be entitled for one notional
increment.



3. The petitioner also sought a direction upon the respondent authorities to refix the pension of the petitioner by adding one increment with effect from 01.07.2016 to 30.06.2017 and with effect from 01.07.2013 to 30.06.2014 respectively and extend all the consequential benefits.

4. Narrating the facts as averred in the writ petition, learned Advocate for the petitioner has drawn the attention of this Court to Annexure-3 and 4 to the writ petition and contended that identically situated persons on being aggrieved by the order of the learned Single judge of Karnataka High Court preferred Writ Appeal No. 4193 of 2017 for fixation of their retiral benefit after adding one increment in their last basic salary which writ appeal came to be allowed by the learned Division Bench directing the authority to grant one annual increment to those writ petitioners. Finally the Karnataka Power Transmission Corporation Limited (KPTCL) has taken this matter in Civil Appeal No. 2471 of 2023 before the Hon'ble Supreme Court questioning the decision of the learned Division Bench of the Karnataka High Court.

5. The Hon'ble Supreme Court while dismissing the Civil Appeal No. 2471 of 2023 has pleased to observe that in view of the reason stated above Division Bench of High Court,



has rightly directed the appellant to grant one annual increment, which the original writ petitioners earn on the last date of their services for rendering their service preceding one year from the date of their retirement with good behavior and efficiency.

6. Learned Advocate for the petitioner has further drawn the attention of this Court to the decision of this Court passed in CWJC No. 2496 of 2021, wherein identical facts, after taking note of the afore-noted order passed by the learned Division Bench of Karnataka High Court duly affirmed by the Hon'ble Supreme Court, the copy of which is marked as Annexure P/3, accorded the similar relief as prayed for in the writ petition.

7. Considering the grievance of the petitioner which is based upon the decisions rendered by the Karnataka High Court duly affirmed by the Hon'ble Supreme Court, in Civil Appeal No. 2471 of 2023, as also the order of the learned co-ordinate Bench of this Court in CWJC No. 2496 of 2021 which came to be disposed off on 15.04.2024, this Court thinks it apt and proper to dispose off the writ petition with a direction to the respondent no. 4 to consider the claim of the petitioners for grant of one increment by taking note of the mandate of the High Court, duly affirmed by the Apex Court, preferably within



a period of 8 weeks from the date of receipt/production of a copy of this order.

8. Suffice it to observe that if the cases of the petitioners find favour, necessary consequential monetary benefit must be accorded to them within the stipulated period.

9. The writ petition stands disposed off.

(Harish Kumar, J)

supratim/-

U			
---	--	--	--

