

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17978 of 2024

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Kumari Shashiprabha, D/o Lakshmi Narayan Das, R/o Flat No.- 304, Sai City,
North of Kathpool, North Mandiri, P.S.- Budhha Colony, Patna G.P.O., Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administrative, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The District Magistrate, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Advocate Mr. Sneha Ranjan, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate Mr. Rajan Prakash, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-11-2024 Heard Mr. Umesh Kumar, learned Advocate for the

petitioner and Mr. Rajan Prakash, learned Advocate for the

State.

2. The petitioner seeks issuance of writ in the nature
of mandamus directing the concerned respondent to extend the
benefit of continuity, fixation of pay, seniority, etc. with effect
from the date from which juniors to the petitioner have been
extended the afore-noted benefits. The petitioner also prays to
extend all the service benefit, as has been granted to the other
persons, who are also appointed in terms of same advertisement
on the recommendation of the Bihar Public Service



Commission.

3. After narrating the averments made in the writ petition, learned Advocate for the petitioner finally contended that the case of the petitioner is covered with the judgment rendered by this Court in the case of ***Pramod Kumar & Ors. vs. The State of Bihar & Ors., C.W.J.C. No. 13797 of 2016*** which came to be allowed on 03.04.2018, holding the petitioners of the said case entitled to notional benefit of continuity, fixation of pay, seniority etc., with effect from the date on which others from the list at Annexure 2 were appointed i.e. 02.06.2004. The learned Court also held that they would also be entitled to the benefit of Old Pension Scheme.

4. The learned Advocate for the State at this juncture, submits that the claim of the petitioner is required to be considered by the competent authority and in case his case shall be found covered by the judgment afore-noted, similar benefits shall be accorded to him.

5. Considering the submission advanced on behalf of learned Advocate for the parties and taking note of the averments made in the writ petition that identically situated persons who have approached this Court in the afore-noted case, have been accorded the benefit as has been prayed for in the writ petition, this Court



deems it fit and proper to dispose of the writ petition with a direction to the District Magistrate, Patna, respondent no. 4, to consider the claim of the petitioner in terms of the order passed by this Court in the case of *Pramod Kumar & Ors. (supra)*.

6. In case the claim of the petitioner finds identical to the case of *Pramod Kumar & Ors. (supra)*, the respondent authorities shall accord to the petitioner the same benefit and advantages, which have been given to *Pramod Kumar & Ors. (supra)*.

7. It is expected that the entire exercise must be completed preferably within a period of 12 weeks from the date of production of the order of this Court.

8. The writ petition stands disposed.

(Harish Kumar, J)

supratim/-

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