

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14939 of 2024

Govind Prasad Son of Late Anup Lal Singh Resident of Village Mohanpur
P.O. Maner, P.S. Maner, District Patna, Bihar 801108

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Finance Department, Government of Bihar Old Secretariat, Bailey Road, Patna.
2. The Secretary, Law Department, Government of Bihar, Patna.
3. The District and Sessions Judge, Civil Courts, Patna.
4. The Judge-in-Charge, Civil Courts, Patna.
5. The Drawing and Disbursing Officer, Civil Courts, Patna.
6. The Civil Court Patna through the Registrar, Civil Courts, Patna.
7. The Treasury Officer, Collectorate, Patna, District- Patna.
8. The Accountant General A and E, Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 1892 of 2025

Birendra Kumar Singh Son of Late Ram Yatan Sharma, Resident of Chand Mari Road, Lane No.2, Near Anand Nath, Shiv Mandir, P.O.-Kankarbagh, P.S.- Kankarbagh, District- Patna, Bihar- 800020.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Finance Department, Government of Bihar, Old Secretariat, Bailey Road Patna.
2. The Secretary, Law Department, Government of Bihar, Patna.
3. The Principal District and Sessions Judge (In Administrative Capacity), Civil Courts, Patna
4. The Judge in-Charge (Accounts) Civil Courts, Patna.
5. The Drawing and Disbursing Officer, Civil Courts, Patna.
6. The Civil Court Patna though the Registrar, Civil Courts, Patna
7. The Treasury Officer Collectorate, Patna, District- Patna.
8. The Accountant General, (A And E) Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2395 of 2025



Amarendra Kumar Sinha Son of Late Arjun Kumar Sinha, Resident of Chandmari Road, Road No.5, Hanuman Path, P.O.- Kankarbagh, P.S.- Kankarbagh, District- Patna, Bihar- 800020.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Finance Department, Government of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Secretary, Law Department, Government of Bihar, Patna.
3. The Principal District and Sessions Judge, Civil Courts, Patna.
4. The Judge in-Charge (Accounts) Civil Courts, Patna.
5. The Drawing and Disbursing Officer, Civil Courts, Patna.
6. The Civil Court Patna, through the Registrar, Civil Courts, Patna.
7. The Treasury Officer Collectorate, Patna, District- Patna.
8. The Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 14939 of 2024)

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the State : Mr. Shankar Kumar Thakur, AC to GP-27
For respondents 3 to 6 : Ms. Surya Nilambari, Adv.

(In Civil Writ Jurisdiction Case No. 1892 of 2025)

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the State : Mr. Santosh Chandra Bhaskar, AC to GP-11
For Accountant General : Mrs. Nivedita Nirvikar, Sr. Adv.,
Mrs. Asmita Bharti, Adv.

(In Civil Writ Jurisdiction Case No. 2395 of 2025)

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the State : Mr. Santosh Chandra Bhaskar, AC to GP-11
For Accountant General : Mr. Bindhyachal Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioners, learned counsel for the State, learned counsel for the respondent nos. 3 to 6 and learned counsel for the Accountant General.

2. The petitioner in C.W.J.C. No. 14939 of 2024 has prayed for the following reliefs:-

“i. For quashing of recovery of excess drawn amount of Rs. 3,29,360/- (Rupees three Lakh



twenty nine thousand three hundred sixty only) which was recovered from the head of unutilized earned leave under the signature of District and Sessions Judge, Patna by sanction order dated 12.7.2019 under Memo No. 548(4)/Accounts and forwarded under the signature of Registrar, Civil Courts Patna with regard to the petitioner. (Annexure P/2)

ii. To issue appropriate order or orders, Direction/Directions or any suitable writ declaring and holding that the petitioner is similarly situated to that of writ petitioners of C.W.J.C. No. 17436 of 2023 are not liable to suffer in as much as they are not at fault in any manner whatsoever.

iii. To issue further order/orders or writ /writs or Direction / Directions Directing the Respondent authorities to grant the petitioner further relief as the petitioner herein may be entitled under the law or as the Hon'ble Court may deem fit and proper in doing substantial Justice to the petitioner.”

3. The petitioner in C.W.J.C. No. 1892 of 2025 has prayed for the following reliefs:-

“(i) For quashing the order of the recovery of excess drawn amount of Rs. 3,42,548/- (Rupees Three lakh forty two thousand five hundred forty eight only), recovered from the head of unutilized earned leave under the signature of District and Sessions Judge, Patna by sanction order dated 27.10.2021 under memo no. 75014/Accounts and forwarded under the signature of Judge in charge (Accounts), Civil Courts Patna



with regard to the petitioner towards payment of MACP in Pay Band-3, Grade pay 6600 in place of in Pe Band-3, Grade pay 5400 (Annexure. P/2).

(ii) To issue appropriate order or orders, direction/direction or any suitable writ declaring and holding that the petitioner is similarly situated to that of writ petitioners in CWJC No. 17436 of 2023 and thus not liable to suffer in as much as they are not at fault in any manner whatsoever (Annexure-P/7).

(iii) To issue further order/orders Cr. Writ/writs or direction/ directions, directing the Respondent Authorities to grant the petitioner further relief as the petitioner herein may be entitled under the law or as the Hon'ble Court may deem fit and proper in doing substantial justice to the petitioner.”

4. The petitioner in C.W.J.C. No. 2395 of 2025 has prayed for the following reliefs:-

“(i) For quashing the order of the recovery of excess drawn amount of Rs. 3,29,866/- (Rupees Three lakh twenty nine thousand eight hundred sixty six only), recovered from the head of unutilized earned leave under the signature of District and Sessions Judge, Patna by sanction order dated 14.2.2023 under memo no. 157 (4) Accounts and forwarded under the signarture of judge in charge(Accounts), Civil Courts Patna with regard to the petitioner towards payment of MACP in pay Band-3,Grade Pay 6600 in place of Pay Band 3, Grade Pay-5400 (Annexure. P/2).

(ii) To issue appropriate order or orders, direction/direction or any suitable writ declaring



and holding that the petitioner is similarly situated to that of writ petitioners in CWJC No. 17436 of 2023 and thus not liable to suffer in as much as they are not at fault in any manner what so ever. (Annexure-P/4).

(iii) To issue further order/orders or writ/ writs or direction/directions, directing the Respondent Authorities to grant the petitioner further relief as the petitioner her in may be entitled under the law or as the Hon'ble Court may deem fit and proper in doing substantial justice to the petitioner.”

5. Learned counsel for the petitioners at this stage has submitted that the case of the petitioners are squarely covered by the Judgment rendered by a Coordinate Bench of this Court, passed in C.W.J.C. No. 17436 of 2023 and the issues having not been agitated further, this order is said to have attained finality. Since, this order has attained finality, the respondents are under legal obligation to grant similar benefit to these petitioners.

6. Considering the aforesaid, this case is also directed to be considered in similar terms and accordingly the petitioners are directed to file fresh representation appending all necessary documents to get their claims adjudicated within a period of two month by appending the Judgment relied upon by the petitioners, so that the final reasoned order can be passed.

7. It goes without saying that, if the claims of the



petitioners are found to fall within parameters of the Judgment
relied by the petitioners, then the benefits shall also be extended
to these petitioners in similar terms within further period of four
weeks.

8. Accordingly, the instant writ petitions are disposed
of.

(Ajit Kumar, J)

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