

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3322 of 2025

1. Girja Devi W/o Late Dasain Choudhary, Resident of Mohalla- Diwan, Tarni Prasad lane, P.S.- Khajekala, District- Patna.
2. Munni Devi W/o Late Rupnarayan Jha, R/o ward No.-21, P.S.and District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through its Finance Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, visheshwaraiya Bhawan, Baily Road, Patna.
3. The Principal Secretary to Govt. water resource Department, Shichai Bhawan, old secretariat, Bihar, Patna
4. The Superintending Engineer, Public Health Engineering Circle, Patna.
5. The Superintending Engineer, north koyal canal circle, Aurangabad.
6. The Executive Engineer, Public Health Division, Biharsharif.
7. The Executive Engineer, north koyal canal Division, Nabinagar, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lallan Kumar Singh, Advocate
For the Respondent/s : Mr. Prashant Pratap, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 25-02-2025 Heard Mr. Lallan Kumar Singh, learned Advocate for

the petitioners and Mr. Prashant Pratap, learned Government

Pleader no. 2.

2. The petitioners are the widows of erstwhile employees, who have invoked the jurisdiction of this Court seeking a direction upon the respondents to consider the grant of similar pay scale of Rs. 6500-10500 [P.B.-2+4800] in 1st ACP and Rs. 10000-15200 [Pay Band-3 + 6600] in 2nd ACP on behalf of her husband, in the light of the judicial order passed in CWJC No. 18433 of 2016 and analogous cases, which has been



affirmed by the Hon'ble Apex Court on 25.04.2023. For proper consideration the reliefs sought for in the present writ petition is quoted hereinbelow:

- (i) That an appropriate writ or direction be issued commanding the Respondents to consider and grant the same pay scale, which has been granted to the similarly situated persons by its Memo No. 163 dated 8.1.2016 and Memo no. 2162 dated 28.2.2024, in view of the clause 4 C (1) of the Bihar State Litigation Policy, 2011.*
- (ii) That an appropriate writ or direction be also issued commanding them to revised the pay scale accordingly and grant all consequential benefit with retiral benefits.*
- (iii) Any other relief or reliefs may be granted to the petitioners as they are found legally entitled to in the facts and circumstances of the case.*

3. Learned Advocate for the petitioners contended that the petitioners are aggrieved by the non-consideration of their detailed representation preferred in light of clause 4 C (1) of the Bihar State Litigation Policy, 2011 and the judgment passed by the Apex Court in ***S.L.P. No. 8219-8226 of 2019 (Amresh Kumar Singh & Ors. ETC. vs. The State of Bihar & Ors. ETC.)*** as well as, the Government notification dated 28.02.2024.

4. It is also the contention of the petitioners that the State has preferred a Civil Review as well as curative petition which also came to be dismissed. However, till date the



representations of the petitioners could not be considered and disposed off.

5. Learned Advocate for the State at this juncture submitted that from the materials available on record it clearly reflects that the relief which has been sought for by the petitioner, is only confined and extended to the petitioners of the said cases.

6. Be that as it may, considering the fact that the petitioners have already preferred a representation which is pending consideration, the present application stands disposed of with liberty to the petitioners, who shall file a fresh representation before the respondent nos. 2 and 3 preferably within a period of two weeks' from today. In case such a representation is filed within the period, aforementioned, the same shall be considered and disposed off within a further period of eight weeks by a reasoned and speaking order. If the claim of the petitioner finds favour, necessary consequential benefit shall also be accorded.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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