

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7207 of 2022

1. Sunil Kumar Pandey Son of Late Raj Mangal Pandey, Resident of Village - Sisai, P.S.- Barauli, District- Gopalganj.
2. Ram Nath Yadav Son of Late Surat Yadav, Resident of Village - Rampur Tengarahi, P.S. - Yadavpur, District- Gopalganj.
3. Nilam Dubey, Wife of Sri Chandra Gokhula Dubey, Resident of Village- Khargauli, P.S. - Yadavpur, District- Gopalganj, Present residing at Saraiya, Ward No. 1, P.S. Gopalganj, District- Gopalganj.
4. Munshi Singh, Son of Late Jhulan Singh, Resident of Village- Kamanpura, P.O. Dharamparsa P.S. Manjhagarh, District- Gopalganj.
5. Noor Alam, Son of Late Kifayat Hussain, Resident of Village- Jalpurva P.S. Barouli, District - Gopalganj.
6. Mahboob Ansari, Son of Late Aziz Ansari, Resident of Village - Khajuriya, P.S. - Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Education Department of Primary, New Secretariat, Bailey Road, Patna.
2. The Accountant General (A and E), Bihar Mahalekhakar Bhawan, Birchand Patel Path, Patna.
3. The District Magistrate, Gopalganj.
4. The District Education Officer, Gopalganj.
5. District Programme Officer (Establishment), Gopalganj.
6. The Regional Deputy Director, Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Harendra Prasad, Adv.
For the State	:	Mr. Kameshwar Kumar, G.P.-17

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 10-02-2025 Heard learned counsel for the petitioners and learned counsel for the State.

2. By filing the present writ application, the petitioners have prayed for the following reliefs:

(I) For issuance of a writ of mandamus or any other appropriate writ directing or commanding the respondent Authorities



particularly, respondent nos. 1, 2 & 3 to declare the petitioners' date of retirement i.e. 30th day of June as the 1st July relaxing one day in order to enable them to enjoy the retirement benefits under the 6th Pay Commission of the Central Government which fixed the 1st July as the date of increment for all employees by Amending Rule-10 of the Central Civil Services (Revised Pay) Rules, 2008.

(II) For any other relief/reliefs to which the petitioners shall found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioners submits that the petitioners have filed several representations before the respondent Authorities for redressal of their grievances attaching the judgments delivered by the Hon'ble Madras High Court and Hon'ble Apex Court, but till date, nothing has been done in this regard.

4. Per contra, learned counsel for the State submits after the 6th Pay Commission, the Central Government fixed 1st July as the date of increment for all employees by amending Rule-10 of the Central Civil Service (Revised Pay) Rule, 2008. It is admitted fact that all the petitioners have retired on 30th June and one increment has been granted to all employees on 1st July. Therefore, they are not entitled for grant of one increment on 1st July. The said benefit have been granted to those employees, who were continued in service on that day.

5. Considering the submissions advanced on behalf of the



parties, I deem it proper to direct the petitioners to file a detailed representation before the District Education Officer, Gopalganj (respondent no.4) along with the supporting documents within a period of four weeks from today and the respondent no.4 is directed to consider the representation of the petitioners and pass a reasoned and speaking order in accordance with law within four weeks from the date of receipt of representation after affording an opportunity of hearing to the petitioners or through their counsel.

6. Needless to state that the District Education Officer, Gopalganj (respondent no.4) shall be solely responsible for non-compliance of this order within the stipulated period.

7. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

divyanshi/-

U			
---	--	--	--

