

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10836 of 2012

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Ramakant Singh Son Of Late Jagnarayan Singh Resident Of Village - Ekil,
P.S. Nawanagar, District - Buxar, At Present Senior Accounts Clerk In The
Office Of Executive Engineer, Sone Command Area Development Agency,
At, P.O. And P.S. Arrah, District - Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Principal Secretary, Water Resources Department, Government Of Bihar,
Old Secretariat, Patna
3. Principal Secretary-Cum-Commissioner Finance, Government Of Bihar, Old
Secretariat, Patna
4. Sone Command Area Development Agency, Having Its Office At Sone
Bhawan, Daroga Prasad Rai Path, Pat
5. Chairman and Managing Director, Sone Command Area Development
Agency, Sone Bhawan, Daroga Prasad Rai
6. Secretary, Sone Command Area Development Agency, Sone Bhawan,
Daroga Prasad Rai Path, Patna

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13748 of 2012

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1. Rajeshwar Narayan Singh Ors S/O Shri Sheo Shankar Singh R/O Mohalla-
Gopalpur West, P.O.A Nd P.S.- Motihari, District- East Champaran, At
Present Correspondence Clerk, At IandP Division, Gandak Command Area
Development Agency, Raxaul
 2. Pitamber Pathak S/O Sri Baleshwar Pathak R/O Mohalla- Raza Bazar, P.O.-
East Gopalpur, Motihari, P.S.- Motihari, District- East Champaran, At
Present Correspondence Clerk, At - IandP Division, Gandak Command Area
Development Agency, Motihari
 3. Anil Kumar Verma S/O Late Brijnandan Prasad R/O Village- Kashipur, P.O.
And P.S.- Samastipur, Distt.- Samastipur, At Present Tracer, At - I and P
Division, Gandak Command Area Development Agency, Motihari
 4. Parmeshwar Singh S/O Late Rajendra Singh R/O Village- Arania Jandaha,
P.O., P.S. - Jandaha, District- Vaishali, At Present - Tracer, At - IandP Sub-
Division, Gandak Command Area Development Agency, Ekma
 5. Krishna Kant Choubey S/O Sri Ganga Prasad Choubey R/O Village-
Lakhaura, P.O.- Yadav Chhapar, P.S.- Chanpatiahi, District- West
Champaran, At Present Accounts Clerk, At - IandP Division, Gandak
Command Area Development Agency, Bettiah, West Champaran

... .. Petitioner/s

Versus



1. The State Of Bihar and Ors
2. The Principal Secretary Water Resources Department, Govt. Of Bihar, Old Secretariat, Patna
3. The Principal Secretary Cum Commissioner Finance, Govt. Of Bihar, Old Secretariat, Patna
4. Gandak Command Area Development Agency At, P.O. and P.S.- Muzaffarpur, District- Muzaffarpur, Through Its Chairman And Managing Director
5. Chairman And Managing Director Gandak Command Area Development Agency, Muzaffarpur
6. Secretary, Gandak Command Area Development Agency, Muzaffarpur

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5793 of 2014

Panchanand Prasad S/O Late Kailash Prasad R/O Dewa Colony, Ramkrishna Nagar, P.S. Ramkrishna Nagar, Town and Distt. Patna

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Principal Secretary, Finance Department, Govt. Of Bihar, Patna
3. Finance Commissioner, Govt. Of Bihar, Patna
4. Principal Secretary, Water Resources Department, Govt. Of Bihar, Patna
5. Deputy Secretary, Command Area Development Directorate, Water Resources Department, Govt. Of Bihar,
6. Sone Command Area Development Agency, Patna
7. Area Development Commissioner - Cum - Chairman - Sone Command Area Development Agency, Patna
8. Secretary, Sone Command Area Development Agency, Muzaffarpur

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10836 of 2012)

For the Petitioner/s : None

For the Respondent No. 4 to 6 : Mr.Harshvardhan Shivsundaram

(In Civil Writ Jurisdiction Case No. 13748 of 2012)

For the Petitioner/s : Mr.Anjani Kumar Singh

For the Respondent No. 4 to 6 : Mr.Satish Chandra Jha

(In Civil Writ Jurisdiction Case No. 5793 of 2014)

For the Petitioner/s : None

For the Respondent No. 6 to 8 : Mr.Mr.Harshvardhan Shivsundaram

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

12 27-06-2025



Re: CWJC No. 13748 of 2012

Heard I.A. No. 01 of 2025, for deletion of Petitioner No. 5 – *Krishna Kant Choudhary* and addition of Respondent No. 7 – The Director, Water and Land Management Institute (WALMI), Phulwari Sharif, Patna as necessary party in the writ petition. Accordingly, I.A. No. 01 of 2025 stands allowed.

2. Learned counsel for the petitioners are hereby directed to carry out necessary amendment in the cause title during the course of the day.

3. In the instant petition, petitioners have prayed for the following relief(s):-

“That the petitioners are filing this writ application in the nature of writ of certiorari to quash and cancel the decision of the Principal Secretary, Water Resources Department, Govt. of Bihar, as contained in Memo No. क.मुक. 12/2007-109 dated 28.2.2012 by which the Principal Secretary has rejected the claim of the petitioners represented through association for restoration of the benefit of 5th Pay Revision Committee which was initially allowed w.e.f. 1.1.1996 but stopped from January, 2002 without assigning any reason and without any notice and hearing; also for a writ of mandamus commanding the respondents to restore the benefit of 5th Pay Revision Committee from January, 2002 with arrears of amount and interest thereon @ 12% p.a. and also for a writ of mandamus to allow the benefit of 6th Pay Revision Committee to the petitioners in view of the resolution dated



7.7.2004 of the Govt.; as also the Resolution dated 10.8.1999 and the Resolution No.3 dated 20.6.2011 of the Board of Gandak Command Area Development Agency (hereinafter referred to as the 'GADA') with interest and to allow other benefits as has been conferred in the past equal to the state employees and/or to pass such other appropriate writ / writs, direction/directions, order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

4. Learned counsel for the Respondent Nos. 4, 5 and 6

Mr. Satish Chandra Jha submitted that the present matter is squarely covered by decision in the case of ***Jagadish Prasad Sinha & Ors. vs. State of Bihar & Ors.*** In this regard, he has furnished three orders passed in CWJC No. 7583 of 20221 decided on 13.04.2022, LPA No. 420 of 2022 dated 11.04.2023 arising out of CWJC No. 7583 of 2021, order dated 28.08.2023 passed in Special Leave to Appeal (C) No(s). 17435 of 2023 and order dated 04.10.2023 passed in Review Petition (C) No. 1315 of 2023 of the Hon'ble Supreme Court.

5. Reading of the aforementioned orders, it is crystal clear that petitioners are also similarly situated on par with *Jagadish Prasad Sinha & Others*. Therefore, the present CWJC No. 13748 of 2012 stands dismissed in the light of aforementioned orders passed in *Jagadish Prasad Sinha & Others*.



Re: CWJC No. 10836 of 2012

6. None appears for the petitioner.

7. In the instant petition, petitioners have prayed for the following relief(s):-

“That the petitioner is filing this writ application for a writ in the nature of a writ of certiorari to quash and cancel the decision of the Principal Secretary, Water Resources Department, Government of Bihar as contained in Memo No. क/मुक 0-12/2007-109 dated 28.2.2012 by which the Principal Secretary has rejected the claim of the petitioner for restoration of the benefit of the 5th Pay Revision Committee which was initially allowed w.e.f. 1.1.1996 but stopped from February, 2002 without assigning any reason and without any notice and hearing; also for a writ of mandamus commanding the respondents to restore the benefit of VIth Pay Revision Committee from February, 2002 and also the benefit of 6th Pay Revision Committee in pursuance of the decision of the Sone Command Area Development Agency as contained in Memo No. 149 dated 19.6.2009 pursuant to which the benefit of 6th Pay Revision Committee was granted for one month but was stopped as per instruction of the authority of Water Resources Department and also for other benefit or benefits to which the petitioner is found entitled to with interest 12% on the arrears of amount and issue such other appropriate writ/writs, order / orders or direction / directions as may deem fit and proper.”

8. Learned counsel for the Respondent Nos. 4, 5 and 6

Mr. Harshvardhan Shivsundaram submitted that the present



matter is squarely covered by decision in the case of ***Jagadish Prasad Sinha & Ors. vs. State of Bihar & Ors.*** In this regard, he has furnished three orders passed in CWJC No. 7583 of 20221 decided on 13.04.2022, LPA No. 420 of 2022 dated 11.04.2023 arising out of CWJC No. 7583 of 2021, order dated 28.08.2023 passed in Special Leave to Appeal (C) No(s). 17435 of 2023 and order dated 04.10.2023 passed in Review Petition (C) No. 1315 of 2023 of the Hon'ble Supreme Court.

9. Reading of the aforementioned orders, it is crystal clear that petitioners are also similarly situated on par with ***Jagadish Prasad Sinha & Others.*** Therefore, the present CWJC No. 10836 of 2012 stands dismissed in the light of aforementioned orders passed in ***Jagadish Prasad Sinha & Others.***

Re: CWJC No. 5793 of 2014

10. None appears for the petitioner.

11. Registry is hereby directed to de-link the CWJC No. 5793 of 2014 in view of the fact that it is a different subject matter and list the matter on 09.07.2025.

(P. B. Bajanthri, J)

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