

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7804 of 2024

1. Vijay Kumar Singh Son of Late Ram Raksha Singh, Resident of Mohalla- Sri Krishna Nagar, House No.89, Road No.21, P.O.- G.P.O. Patna, P.S.- Kotwali, District-Patna.
2. Umesh Prasad Singh, son of Late Chandeshwar Prasad Singh, Resident and P.O.- Biharsharif, P.S.- Laheri, District- Nalanda.
3. Naresh Kumar, son of Late Daya Nidhi Prasad, Resident of Mohalla- Nasriganj, P.O. and P.S.- Digha, District-Patna.
4. Anil Kumar, son of Late Shideshwar Rao, Resident of Mohalla- Gurusahay Lal Nagar, Phase-2, Flat no.55, Ram Nagari Road, Near Electrical Division, P.O. and P.S.- Ashiyana Nagar, District- Patna.
5. Narendra Kumar Nirmal, son of Late Ganesh Ram, Resident of Village- Jalmalpur, P.O.- Mohammadpur, P.S.- Koilwar, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Finance Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Principal Secretary, P.H.E.D., Bihar, Patna, Visheshwaraiya Bhawan, Bailey Road, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, P.H.E.D. Bihar, Patna, Visheshwaraiya Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, P.H. Engineering Circle, Patna.
5. The Executive Engineer, P.H. Division, Patna West.
6. The Superintending Engineer, P.H. Mechanical Circle, Patna.
7. The Executive Engineer, P.H. Mechanical Division, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate
For the Respondent/s : Mr. Rakesh Ranjan, A.C. to G.P.-22

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-



(i) 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) An appropriate writ or direction be also issued commanding them to Revised the pay scale accordingly and grant all consequential benefit with retiral benefits.

3. Learned counsel for the petitioners submits that the issue has already been decided by the Hon'ble Supreme Court and therefore the petitioners are entitled to salary as per pay scale in terms of the said decision.

4. Learned counsel for the State submits that a Review Petition had been filed by the State of Bihar which was dismissed and a Curative Petition was pending before the Hon'ble Supreme Court.

5. Learned counsel for the petitioners has produced a copy of the order passed by the Hon'ble Supreme Court in Curative Petition (Civil) No. 137 of 2024 decided on 29.08.2024, by which the Curative Petition has also been dismissed.



6. Learned counsel for the petitioners further submits that the Finance Department has also taken a decision in favour of similarly situated candidates including the petitioners and it is now for the State to pass an order in the case of the petitioners.

7. In view of the above, this application is disposed of with the liberty to the petitioners to file a fresh representation before the Principal Secretary, P.H.E.D., Government of Bihar. The Principal Secretary shall take a decision on the representation of the petitioners within two weeks of its filing in the light of the order of the Hon'ble Supreme Court.

8. This application stands disposed of with the aforesaid observations.

(Sandeep Kumar, J)

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