

Anju Kumari, wife of Chandra Bhan Singh, Resident of Village - Kaithi, P.S.-Kachhwan, District-Rohtas.

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The RDDE, Patna.
5. The District Education Officer, Rohtas.
6. The District Programme Officer (Establishment), Rohtas, Sasaram.

... .. Respondent/s

For the Petitioner/s : Mr. Jitendra Prasad Singh, Sr. Advocate.
Mr. Shashikant, Advocate.
Mr. Rajeev Kumar, Advocate.
For the Respondent/s : Mr. Kameshwar Kumar, GP-17.

4 29-04-2025 Heard Mr. Jitendra Prasad Singh, learned senior
counsel along with Mr. Shashikant and Mr. Rajeev Kumar,
learned counsel appearing on behalf of the petitioner and Mr.
Kameshwar Kumar, learned GP-17 for the State.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, following relief(s), which is reproduced hereinafter:-

“That this application is being filed for directing the respondents to grant the pay scale of Rs.4000-6000/- to the petitioner as provided to other employees in the light of the order dated 23.06.2017 passed in LPA No. 167 of 2016 by this Hon’ble Court contained in Annexure-1 and Rule 4 (C) of the Bihar State Litigation Policy.”



3. It is admitted case of the petitioner that the father of the petitioner died in harness in the year 2001 and the petitioner was appointed on compassionate ground on Class-III post as Clerk in the year 2004 in the pay scale of Rs.3050-4590/-. Grievance of the petitioner is that though she was appointed in the pay scale of Rs.3050-4590/-, but she is entitled for the pay scale of Rs.4000-6000/-. Aggrieved by the said scale, some of the similarly situated clerk preferred C.W.J.C. No. 1498 of 2011 which was dismissed on 29.10.2015. Thereafter, they preferred L.P.A. No. 167 of 2016 which was allowed on 23.06.2017. The petitioner seeks that scale of Rs.4000-6000/- be granted to her in light of the order dated 23.06.2017 passed in L.P.A. No. 167 of 2016.

4. It is informed by Mr. Amit Bhushan, learned State counsel that in view of two divergent judgments of the Division Bench passed in L.P.A. No. 100 of 2012 and L.P.A. No. 167 of 2016, the matter has been referred before the Full Bench of this Court.

5. I find that as the issue has already been decided by the Apex Court in the case of **the Secretary To Govt. Department of Education (Primary) & Ors. Vs. Bheemesh Alias Bheemappa (Civil Appeal No.7752 of 2021) arising out of Special Leave Petition (C) No.1564 of 2021**, this Court allows the writ



petition on similar terms.

6. The writ petition stands disposed of.

(Purnendu Singh, J)

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