

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11360 of 2025

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Chandan Kumar, Son of Shankar Rajak, Resident of Mohalla- Bijay Nagar,
P.S. - Banka, District- Banka, at present posted as a Parichari/Anusewak
(Class-IV), Sub-Divisional Office, Banka and deputed at District Treasury
Office, Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. District Officer Cum Collector, Banka.
3. Establishment Deputy Collector, Banka.
4. Sub-Divisional Magistrate, Banka.
5. Senior Treasury Officer, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh, Adv.
For the Respondent/s : Mr. Ajay Behari Sinha, GA-8

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-07-2025 Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondents to consider his claim for appointment against Class-III post based upon the notification dated 25th April 2012 and 24th August 2016 issued under the signature of Principal Secretary, General Administration Department, Government of Bihar and Additional Secretary, Government of Bihar, respectively.

3. Learned Advocate for the petitioner specifically contended that admittedly the petitioner possessed the qualification of intermediate and, as such, in view of the



notification afore-noted, he should have been appointed against Class III post in the grade pay of Rs. 1900/-, however, ignoring the aforesaid facts, the petitioner was duly appointed against Class IV post in the grade pay of Rs. 1800/- vide Memo No. 29-02/2012-2020 379/stha, Banka dated 14.07.2020.

4. Taking this Court through the various annexures appended to the writ petition it is further contended that person having qualification of intermediate and higher qualification, they have been accorded the grade pay of Rs. 1900/-, but discrimination has been caused to the petitioner.

5. Identically situated person aggrieved with the action of the respondents also approached before this Court in C.W.J.C. No. 14077 of 2024 wherein a Bench of this Court vide order dated 01.10.2024 taking note of the afore-noted facts directed the District Compassionate Appointment Committee to re-consider the case of the petitioner and take an appropriate decision. It has been informed to this Court that pursuant to the direction of this Court, the petitioner of the said writ petition has been accorded the grade pay of Rs. 1900/- and he has been upgraded to Class III post.

6. Learned Senior Advocate (G.A.) No. 8 fairly submitted that since the case of the petitioner is based upon



parity and the prescriptions as provided under notification dated 25.04.2012 and 24.08.2016, the same is required to be considered afresh by District Compassionate Appointment Committee.

7. In view of the fair submissions advanced by learned Advocate for the respective parties, this Court thinks it proper to dispose of the writ petition with a direction to the District Magistrate, Banka to convene a District Compassionate Appointment Committee meeting and consider the claim of the petitioner in the light of the notification dated 25.04.2012 and 24.08.2016 as also the decision passed by a Bench of this Court in C.W.J.C. No. 14077 of 2024 and take an appropriate decision, preferably within a period of 12 weeks' from the date of receipt/production of a copy of this order, in accordance with law.

8. The writ petition stands disposed.

(Harish Kumar, J)

supratim/-

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