

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11774 of 2025

1. Akhilesh Kumar Singh Son of Late Mukhlal Singh, Resident of Panchuchak, P.O.- Danapur Cantt., P.S.- Danapur, District- Patna.
2. Satyendra Narayan Singh, Son of Late Raj Bahadur Singh, Resident of Pirmuhani Near Devi Dayal Singh High School, Lane No. 2, P.S.- Kadamkuan, District- Patna.
3. Jawahar Lal Prasad, Son of Late Shankar Prasad, Resident of Mohalla- Maharhatta, P.O. and P.S.- Hazipur, District- Vaishali.
4. Shivdatt Prasad, Son of Jagarnath Bhagat, Resident of House No. 102, Ward No. 6, P.S.- Karai, District- Patna.
5. Sudama Prasad, Son of Gulab Chand Prasad, Resident of South of T.B Hospital, New Shitla Tola, Karman Tola, Arrah (Bhojpur).

... .. Petitioner/s

Versus

1. The State of Bihar
2. That Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Director, Consolidation, Govt. of Bihar, Patna.
5. The Consolidation Officer, Kundra (Kaimur).
6. The Consolidation Officer, Buxar Sadar, Buxar.
7. The Consolidation Officer, Hilsa, Nalanda.
8. The Consolidation Officer, Charpokhari, Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhas Chandra, Adv. Mr. Kumar Satya Kirti, Adv.
For the Respondent/s	:	Mr. Anirban Kundu, SC-24

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2025 At the outset, learned Advocate for the petitioners submitted that in paragraph no. 12 of the writ petition, there is some clerical mistake, which is required to be rectified.

2. In view, thereof, let the same be rectified in course



of the day.

3. Heard the parties.

4. The petitioners have invoked the prerogative writ jurisdiction of this Court seeking following reliefs:

“That the present writ application is being filed for direction to the respondents to grant pay revision and Pay Band (5200-20200) Grade Pay 2800 which has been revised w.e.f. 01.01.2006 equivalent to 5200-20200 and also revised pay w.e.f. 02.12.2006 i.e. PB-2 Grade Pay 4200 as directed in Finance Department Resolution No.3A2-WOPU-23/2006-7788 B(2) dated 02.12.2006 and letter Memo No.233/2013-52 dated 13.01.2017. The Finance Department has fixed the ACP and Grade as 1st ACP-PB-2 + Grade Pay 4200, 2nd ACP/MACP-PB-2 + Grade 4600 and 3rd MACP-PB-2 + 4 Grade 4800 to the employee of Directorate of Survey and Directorate of Consolidation UDC employee.”

5. The petitioners were appointed as Moharir in the year 1987 and after having worked for a long time, superannuated on different dates and years in between 2010-2019.

6. Learned Advocate for the petitioners submitted that the Government of Bihar in the Department of Finance vide Memo No. 7788 dated 02.12.2006 stipulated that the Moharir, who were appointed prior to the 20.12.2000 in Survey and Consolidation Scheme are eligible for revised pay scale of Rs. 4000-6000 since 01.01.1996 and to get higher pay scale of Rs. 4500-7000 to 02.12.2016. They also found eligible for 1st ACP-



PB-2 – Grade Pay – 4200, 2nd ACP-PB-2 – Grade Pay – 4600 and 3rd ACP-PB-2 – Grade Pay – 4800, in view of the opinion of the Finance Department dated 20.08.2018 in Survey and Consolidation Directorate.

7. In view of the opinion of the Finance Department, as also in terms with relevant letters/orders, identically situated one “Sanjay Kumar” who was holding the post of Upper Division Clerk Consolidation had granted all the benefits vide Memo No. 315 dated 19.03.2021. Likewise, other similarly situated persons have also extended the benefit of 1st, 2nd and 3rd ACP/MACP vide Memo No. 297 dated 08.04.2020 and further vide Memo No. 968 dated 05.09.2022. However for identical reliefs, the petitioners have time and again approached before the authorities concerned, especially, Directorate Consolidation, Government of Bihar, but to no avail.

8. Mr. Anirban Kundu, learned SC-24 submitted that since the petitioners have already approached before the competent authority, who shall look into the matter and consider the claim of the petitioners and in case the same shall be found admissible, necessary order shall be passed.

9. Having heard the learned Advocate for the respective parties and taking note of the fair submission of



learned SC-24 for the State of Bihar, this Court deems it fit and proper to dispose off the writ petition with a direction to the respondent no. 4 to take up the claim of the petitioners, as raised in Annexure-4 series to the writ petition and bring to its logical conclusion.

10. Suffice it to observe that if the claim of the petitioners find favour and identical to those with whom they sought parity, identical benefits must be accorded to them, preferably within a period of twelve weeks, from the date of receipt/production of a copy of this order.

11. The writ petition stands disposed off with the aforesaid observation and direction.

(Harish Kumar, J)

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