

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15235 of 2013

1. Md. Sirajuddin Ansari Son of Late Md. Hanif Ansari R/O New Millat Colony, P.S. Phulwarisharif, District- Patna
2. Sri Umesh Prasad Son of Late Harihar Prasad R/O Durga Asthan Gali, Sheikhpura, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Science and Technology cum Vice Chairman (Executive Committee) Bihar Council on Science and Technology, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Science and Technology, cum Vice Chairman (Executive Committee) Bihar Council on Science and Technology, Govt. of Bihar, Patna
3. Bihar Council on Science and Technology through its Chairman cum Development Commissioner, Indira Gandhi Science Complex, Planetarium, Patna- 1
4. The Chairman cum Development Commissioner, Bihar Council on Science and Technology (BIRSAC), Indira Gandhi Science Complex, Planetarium, Patna- 1
5. The Project Director, Bihar Council on Science and Technology and Bihar Remote Sensing Application Centre, Indira Gandhi Science Complex, Planetarium, Patna- 1

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Shekhar, Advocate
		Mr. Masoom Raza, Advocate
For the Respondent/s	:	Mr. Jitendra Kumar, AC to Ex. AAG-11

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

9 09-12-2025 Heard learned counsel for the petitioners and learned counsel for the respondents.

2. The petitioners have filed the instant application for the following relief(s):

“(i) In the nature of "Mandamus" directing and commanding the respondent authorities particularly respondent no. 3 to 5 to authorize the



petitioners the pay scale of Rs. 5500-9000/- with effect from 1/1/1996 upgrading the pay scale of Rs. 5000 to 8000/- which has been paid to them contrary to their entitlements with a monetary benefit w.e.f 15/10/2005 since when all employees getting the benefit.

(ii) In the nature of "Mandamus" directing and commanding the respondent authorities to calculate the entire arrears of pay in the pay scale of Rs. 5500-9000/= with effect from 1/1/1996 and consequential up-gradation of the said pay scale when the same has been enhanced while awarding the 6th pay commission and further to pay the entire dues to the petitioners forthwith.

(iii) For any other relief/reliefs for which the petitioner is entitled in the facts and circumstances of the case."

3. While granting time to the learned counsel for the petitioners to take further instructions in the matter, this Court by its order dated 10.10.2025 has recorded the case of the parties and which is being reproduced herein below:

"1. The petitioners pray for upgrading their pay-scale from Rs.5000-8000 to Rs.5500-9000 and to pay the arrears of difference of the salary pursuant thereto.

2. It is the case of the petitioners that they were appointed as Maintenance Technician (Computer Hardware) and Maintenance Technician (Electrical/Instrumentation) by order dated 5.5.1992 (Annexure-3), both in the pay-scale of Rs.1500-2750. The revised pay-scale, as would be evident from the



order dated 15.10.2005 (at page no.26) for Rs.1500-2750 is shown to be Rs.5000-8000.

3. Learned counsel for the petitioners submits in reference to the file notings with respect to the petitioners brought on record as Annexure-5 to the application that the accepted replacement scale in case of the petitioners was of Rs.5500-9000. To substantiate his submissions, it is submitted that there is no dispute with respect to the fact that Draftsman rank junior to Maintenance Technician. The revised scale of the Draftsman being Rs.5000-8000, learned counsel submits that as recommended on the file vide Annexure-5, the respondents be directed to grant the upgraded pay-scale of Rs.5500-9000 to the petitioners.

4. In response, it is submitted by learned counsel for the respondents that having realised the incorrect revised pay-scale being given to the Draftsman, the respondents came out with an order dated 20.12.2016 (Annexure-A; Page no.42) correcting the scale of Rs.5000-8000 granted to the Draftsman to be Rs.4500-7000. Thereafter no error remains either in the scale granted to the Draftsman nor to the petitioners which is Rs.5000-8000.

5. Learned counsel for the petitioners prays for a short adjournment to take further instructions in the matter.

6. Put up this case on 16.10.2025."

4. Having heard learned counsel for the parties and having perused the contents of the petition, it transpires that the case of the petitioners who are Maintenance Technicians is mainly on the ground that while admittedly Draftsman are



junior to Maintenance Technician, both the Draftsman and the Maintenance Technician were being given the same pay scale of Rs.5,000-8,000.

5. As recorded above, the error in the scale being given to the Draftsman has subsequently been corrected by the respondent-State of Bihar vide order dated 20.12.2016 whereby the Draftsman are thereafter being given the pay scale of Rs.4,500-7,000.

6. In view of the above, in the opinion of the Court, the petitioners have no merits in their case.

7. The application is dismissed.

(Partha Sarthy, J)

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