

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8457 of 2025

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1. Lutan Upadhyay Son of Late Dhupan Upadhyay Resident of village- Katar, P.O- Danara, P.S.- Bikram, District-Patna (Retired as Driver on 31.10.2006 from Electric Supply Division, Bihta, District- Patna).
 2. Asha Devi Widow of Late Rajendra Upadhyay Resident of village- Katar, P.O- Karnaza, P.S.- Bikram, District- Patna (Her husband retired as Driver on 31.12.1990 from Electric Supply Division, Bihta, District- Patna and died on 19.07.2020)

... .. Petitioner/s

Versus

1. Bihar State Power Holding Company Vidhut Bhawan, Bailey Road, Patna
2. The Chairman-cum-Managing Director the Bihar State Power Holding Company, Vidyut Bhawan, Bailey Road, Patna.
3. The General manager (H.R and Adm.) Bihar State Power Holding Company, Vidyut Bhawan, Bailey Road, Patna.
4. The Executive Engineer Electric Supply Division, Bihta, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Natraj Verma,Advocate
For the Respondent/s : Mr.Vivek Prasad,Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-04-2026 Heard learned counsel for the petitioners and learned
counsel for the Bihar State Power Holding Company Limited.

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

“i) For issuance of an appropriate writ in the
nature of Mandamus seeking direction to respondents
to implement the Judgement/ order passed by Hon'ble
High Court in which has been affirmed in LPA No.
1375 of 2013 by this Hon'ble court vide order dated
12.7.2017 and also in S.L.P. No. (Civil) No. 9343 of
2018 by the Hon'ble Supreme Court vide order dated



1.5.2018 with respect to the Petitioners also who was/is similarly situated vehicle drivers, but by Memo No. 960 dated 27.08.2018 and office order No. 59 dated 15.01.2021 Judgement/order have been implemented upon 44 vehicle drivers and 20 (twenty) vehicle drivers only leaving Petitioners who is also entitled for grant of same benefit.

ii) For issuance of appropriate writ in the nature of mandamus seeking direction to respondents to grant the benefit of pay Scale of Rs. 725-1115 with effect from 01.04.1983 and Rs. 1400-2450 w.e.f. 01.01.1986 respectively alongwith all consequential revised pay scale as such benefit have been provided to 44 similarly situated persons in view of order passed in C.W.J.C. No. 4 of 2006, twenty persons in C.W.J.C. No. 1102 of 2019 but the Petitioners has not been granted such benefit and thus discriminated from others persons who had granted such benefits.

iii) For issuance of any other relief reliefs as your Lordships may deem fit and proper for ends of justice.”

3. Learned counsel for the petitioners submits that the petitioners have filed their representation, as annexed in Annexure-9 to the writ petition; however, no decision has been taken by the respondent authorities to date. Consequently, the petitioners have no option but to approach this Hon'ble Court. Learned counsel further submits that the respondent authorities are not granting the relief sought by the petitioners without an



order from this Court.

4. Learned counsel for the Bihar State Power Holding Company Limited submits that a direction may be issued for disposal of the pending representation of the petitioners, if any, in accordance with law.

5. In light of the submissions made, it is ordered that the respondent, Chairman-cum-Managing Director, Bihar State Power Holding Company Limited, shall pass a reasoned and speaking order on the petitioners' representation within 90 days from the date of receipt/production of a copy of this order, in light of Clause 4C of the Bihar State Litigation Policy, 2011 and considering the fact that the relief has been granted to the other similarly situated persons. If it is found that the case of the petitioners is covered as like that of others whose names are mentioned in the counter affidavit itself then the same relief be granted to the petitioners also.

6. With the aforesaid observation and directions, the writ petition stands disposed off.

(Dr. Anshuman, J)

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