

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1837 of 2017

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Satinath Gangopadhyay S/o Late Subodh Gangopadhyay, Resident of Flat No. 201, Janpriya Apartment, North Sri Krishnapuri, P.S.- Sri Krishnapuri, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Science and Technology, Government of Bihar, Patna.
2. The Executive Committee of Bihar Council on Science and Technology through its Chairman, Patna, Bihar
3. The Development Commissioner, Bihar cum Chairman (Executive Committee of Bihar Council on Science and Technology), Bihar, Patna
4. The Principal Secretary, Department of Science and Technology, Government of Bihar cum Vice Chairman (Executive Committee of Bihar Council on Science and Technology), Bihar, Patna
5. The Director, Science and Technology, Government of Bihar cum Member Secretary, Bihar Council on Science and Technology, Patna, Bihar
6. The Project Director/Incharge, Bihar Remote Sensing Application Center, Department of Science and Technology Department, Government of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-01-2026 The petitioner has filed the instant application for the following relief(s):

“a. To issue writ in the nature of certiorari to quash the order dated 20/12/2016 contained in memo no. 635 whereby Project Director who is not a controlling authority of the petitioner has modified the benefits of earlier pay revision which was granted to the petitioner by the controlling authority in pursuance of the decision taken by the Executive Committee of Bihar Council on Science and Technology in



accordance with the Fifth and sixth pay revision. By the said order dated 20/12/2016 petitioner's pay scale has been reduced from the pay scale of 5000-8000 to 4500-7000 and pay scale of 9300-34800 to 5200-20200 respectively.

b. To issue writ in the nature of certiorari to quash the order dated 20/12/2016 contained in memo no. 634 whereby Project Director who is not a controlling authority of the petitioner gave a direction to recover the excess payment made to the petitioner and the amount quantified to Rs 6,37,305/-. The said "excess payment" has been termed by the Project Director because he reached to the conclusion that earlier pay fixation of petitioner was not done properly (although the earlier pay fixation of petitioner was done by the competent authority but the modification of pay scale of petitioner was done by the Project Director who is not a controlling authority).

c. To issue writ in the nature of mandamus directing the respondents to refund the deductions made from the salary of the petitioner in pursuance of the impugned order.

d. It is further prayed that during the pendency of the instant application orders dated 20/12/2016 contained in memo no. 634 and 635 issued by the respondent no.6 be stayed.

e. To pass such other order(s) direction(s) for which petitioner is entitled in the facts and circumstances of the instant case.”

2. It is submitted by learned counsel for the petitioner that as per oral instructions received, the petitioner has died



during pendency of the instant application. Inspite of all efforts, no further instruction has been received in the matter. In view of the same, learned counsel for the petitioner seeks permission to withdraw the instant application.

3. As prayed, without going into the merits of the case, the application stands disposed of as withdrawn.

(Partha Sarthy, J)

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