

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14387 of 2023

1. Rahul Son of Late Rajendra Prasad, Resident of Ganga Vihar Colony, Tekari Road, Mahendru, P.S.- Sultanganj, District- Patna, Pin No. -800006.
2. Kanchan Kumar, Son of Late Vijay Kumar Sharma, Resident of Chhotki Wabhanpura, P.S.-Ghosi, District- Jehanabad.
3. Rajiv Ranjan Raja, Son of Late Nandu Saw, Resident of Village- Harnichak, Mahuli Tola, P.S.-Phulwarisharif, District- Patna.
4. Sanny Kumar, Son of Late Ashok Kumar Sharma, Resident of Gandhi Nagar, P.S.- Danapur, District Patna.
5. Sandeep Kumar, Son of Late Sheojee Prasad, Resident of Mohalla- Indrapuri, Road No. -1, House No. 6, P.S.- Patliputra, District- Patna.
6. Prity Kumari, Wife of Aman Kumar Pandey, Resident of Road No. 6, Rajeev Nagar, P.S- Rajeev Nagar, District- Patna.
7. Abhishek Naveen, Son of Late Vivekanand Upadhyay, Resident of Village- Etwarpur, P.S.- Parsa Bazar, District- Patna.
8. Mithilesh Kumar, Son of Late Surya Prasad Singh, Resident of New Alkapuri, Road No.- 12, House No. 8, P.S.- Gardanibagh, District- Patna.
9. Smt. Abhilasha, Wife of Late Pankaj Kumar, Resident of Kishan Colony, Phase-1, P.S-Phulwarisharif, District- Patna.
10. Prem Kumar, Son of Late Shatrudhan Tiwari, Resident of Village- Rampur Khajuriya, P.S.- Dumariya Ghat, East Champaran, District- East Champaran.
11. Shashi Kumar Jaiswal, Son of Late Rambabu Gupta, Resident of R.K. Choubey Road, Jhakhni Mahadev Road, P.S- Danapur, District- Patna.
12. Ravi Kumar, Son of Late Rajendra Prasad, Resident of Nalband Toli, Gulzarbagh, P.S.- Alamganj, District- Patna.
13. Ravi Chandra, Son of Late Saryug Choudhary, Resident of Kankarbagh Main Road, Near Old Tiwary Bechar, P.S.- Kankarbagh, District- Patna.
14. Pankaj Kumar, Son of Late Kirani Prasad Yadav, Resident of Ashobhi Chapradhani, P.S.-Purnahiya, District- Sheohar.
15. Kumari Archana, Wife of Late Akshay Kumar Singh, Resident of C/o Sima Sinha, Jayant Verma, Badi Patan Devi Colony, Gulzarbagh, P.S.- Aalamganj, Patna.
16. Prem Kumar, Son of Late Kamta Prasad Singh Resident of Mohalla- Nawabganj, P.S.- Malsalami, District- Patna.
17. Mrinanjay Kumar, Son of Ramji Tiwari, Resident of Village Saraiya, P.S.- Sakra District- Muzaffarpur.
18. Kanhaiya Ram, Son of Yugal Ram, Resident of Mohalla- Dumrail, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Science, Technology and Technical



Education Department, Govt. of Bihar, Patna.

2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director, Science, Technology and Technical Education Department, Govt. of Bihar, Patna.
4. The Joint Secretary, Science, Technology and Technical Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh, Adv.
For the State : Mr. Kumar Alok (SC-7)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

“I. For issuance of writ in the nature of mandamus commanding the respondents to make payment of salary to the petitioners in the pay scale of 4000-6000 from the date of their appointment which is being paid to the other similarly appointed Lower Division Clerks in light of order dated 28.02.2019 passed in CWJC No. 11466/2016 and order dated 27.02.2019 passed in CWJC No. 9633 of 2016 and analogous cases.

II. For a further direction to the respondents to make payment of arrears of salary to the petitioners in the said pay scale of Rs. 4,000-6000 and its corresponding higher pay scale and grade pay which has been allowed to the



petitioners of CWJC No. 9633 of 2016 and other similarly situated Lower Division Clerks.

III. For any other relief/reliefs if petitioner found entitle in the facts and circumstances of the present case.”

3. Learned counsel for the petitioners admits that the issue involved in the present writ petition has been decided by the Hon’ble Full Bench of this Court in case of ***Ravi Shankar Kumar Vs. The State of Bihar, through the Chief Secretary & Ors. with other analogous cases*** reported in ***2025 SCC Online Pat 2627*** against the petitioners. He further submits that the said order was challenged and pending before the Hon’ble Supreme Court of India in S.L.P (C) No. 3335 of 2024. He submits that in case, the said S.L.P. (C) No. 3335 of 2024 preferred by other similarly situated person is decided in their favour, then all the petitioners shall also be entitled for the same in the light of Hon’ble Supreme Court’s order.

4. Learned counsel for the State submits that counter affidavit has been filed in which stand has been taken that the petitioners have lost by the order passed by the Hon’ble Full Bench of this Court and until and unless the Hon’ble Supreme Court’s order in the said S.L.P (C) No. 3335 of 2024 shall not come, no relief can be granted to the petitioners.



5. In this view of the matter, this Court is of the view that keeping this writ petition pending shall be an unnecessary task, therefore, the present writ petition stands disposed off with liberty to the petitioners that in case, the above named S.L.P. (C) No. 3335 of 2024 decided in favour of other similarly situated person, then the petitioners by way of filing an application shall revive this writ petition.

(Dr. Anshuman, J)

Divyansh/-

U			
---	--	--	--

