

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.804 of 2025

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Anirudh Mandal Son of Late Radha Mandal Resident of Village- Mohanpur
(Jali Tola), P.S.- Pirpanti, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Personnel and Administrative Reforms, New General Administrative Department, Govt. of Bihar, Patna.
3. Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
4. District Magistrate, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Mishra, Advocate Mr. Nilesh Kumar Nirala, Advocate Mr. Amit Prakash, Advocate
For the Respondent/s	:	Ms. Binita Singh, SC-28

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 23-06-2026

Heard learned Counsel for the petitioner and

learned Counsel for the State.

2. The present writ petition has filed for the

following reliefs:-

*“i) to grant the pay scale of
Rs.4000-6000/- instead of Rs.3050-4590
to the petitioner from the date of his
appointment working as Lower Division
Clerk, under the District Magistrate,
Saran in the Office of Collectariate,
Saran considering the orders passed
by this Hon’ble Court in L.P.A. No.167
of 2016, C.W.J.C. No.15978 of 2010 and
others analogous cases as is the light of*



the said order similarly situated employees like the present petitioner have been granted the pay scale of Rs.4000-6000/- from date of their appointment.

II) For Commanding the respondents authorities to pay the arrears of difference of salary to the petitioner in the revised scale of Rs. 4000-6000/- from the date of his appointment with all consequential benefits.

III.) To provide the pay scale of Rs. 4000-6000/- in the light of judgment of this Court passed in CWJC No. 17 of 2023.”

3. Learned counsel for the State has raised a preliminary objection, submitting that in view of the Full Bench judgment of this Hon'ble Court in ***Ravi Shankar Kumar vs. The State of Bihar & Ors.*** passed in CWJC No. 23831 of 2018, the petitioner is not entitled to any relief at this stage, as he is an appointee of 20.12.2000, and therefore falls outside the scope of the reliefs sought in the present writ petition.

4. Learned counsel for the petitioner, on the other hand, submits that the aforesaid Full Bench decision has been challenged before the Hon'ble Supreme Court of India and the matter is still pending consideration.



5. Having considered the rival submissions, this Court is of the view that in view of the binding nature of the Full Bench judgment, which holds the field as on today, the continuance of the present writ petition would serve no useful purpose. Accordingly, the writ petition is liable to be disposed of in terms of the law laid down by the Full Bench. Relevant paragraph 83 of the said judgment is reproduced hereinbelow:-

“83. In C.W.J.C. No. 2804 of 2020, three questions have been referred to the larger Bench, we answer the same in corresponding terms as under:- (i) the views expressed by the Hon’ble Division in the case of Smt. Mosarrat Arra Khanam and others (supra) is the correct view. We do not approve the views expressed by the Division Bench in the case of Avinash Kumar Chakerwarty and others. The case of Binit Kumar and Others (supra) deals with altogether a different issue which is not falling for consideration in the present writ applications. (ii) After Finance Department’s Resolution dated 20.12.2000, a demerger of the post of Assistant resulted in existence of three different posts i.e. (I) Lower Division Clerk (ii) Upper Division Clerk and (iii) Assistant. In terms of clause (5)(i) of the Resolution Dated 20.12.2000 the vacancies existing in the post of Assistant (prior to demerger) would be taken as the vacancies existing in the post of Lower Division Clerk which is the junior most/ lowest post available in that category. Thus, the petitioners who have been appointed after 20.12.2000 could have been appointed only against the post of Lower Division Clerk in the pay scale of Rs.3050/- Rs.4590/-. (iii) All the appointees on the post of Lower Division Clerk after 20.12.2000, irrespective of their



source of appointment are entitled to the pay scale of Rs.3050 – Rs. 4590/-.”

6. Accordingly, this Court disposes of the writ petition without granting any relief to the petitioner as prayed for. However, the petitioner shall be at liberty to seek revival of the present writ petition in the event the decision of the Full Bench is set aside or modified by a higher forum.

7. With the aforesaid observation and liberty, the present writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/Manshi

AFR/NAFR	
CAV DATE	NA
Uploading Date	24/06/2026
Transmission Date	NA

