

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.783 of 2014

In

Civil Writ Jurisdiction Case No. 6161 of 2010

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1. Lawrance Alphonse S/O Late Alphonse Luis R/O Gaighat Southern, Lane, P.O. Gulzarbagh, P.S. Alamganj, District Patna.
 2. Yamuna Prasad S/O Late Ram Lakhan Sah R/O Bhadurghat, Nea Ganji Factory, P.S. Alamganj, District Patna.
 3. Pashupati Nath Pandey S/O Late Ram Gopal Pandey R/O Gaighat (Khara Kuan), P.O. Gulzarbagh, P.S. Alamganj, District Patna.
 4. Mahtab Lal Rai S/O Late Fakira Rai R/O Diwan Mohalla, Dulli Ghat, Adarsh Colony No. 1, P.O. Patna City, P.S. Khajekalan, District Patna.
 5. Vindeshwari Prasad S/O Late Munshi Baldeo Lal R/O Mansa Ram Ka Akhara, P.O. Jhauganj, P.S. Mehndiganj, District Patna.
 6. Nawab Saheb Mathur S/O Late Pitambar Prasad Mathur R/O Mittan Ghat, Adarsh Colony No. 2, P.O. Jhauganj, P.S. Khajekalan, District Patna.
 7. Brij Bihari Lal S/O Late Ram Lakhan Yadav Mohalla Chhoti Patan Devi, P.O. Jhauganj, P.S. Chowk, District Patna-8.

.... Petitioners

Versus

1. The State Of Bihar.
2. Sri Rameshwar Singh, The Principal Secretary Cum Finance Commissioner, Finance Department, Govt. Of Bihar, Patna.
3. Sri Arun Kumar Sinha, Director (Press And Stationary), Finance Department, Govt. Of Bihar, Patna.
4. Sri Sushil Kumar, Deputy Superintendent/Superintendent Cum Sub Divisional Officer, Bihar Secretariat Press, Patna.
5. Sri Brajesh, District Provident Fund Officer, Patna.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Anshay Bahadur Mathur

For the Opposite Parties :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4 22-01-2015 Heard learned counsel for the petitioner and learned AC
to GA No. 13.

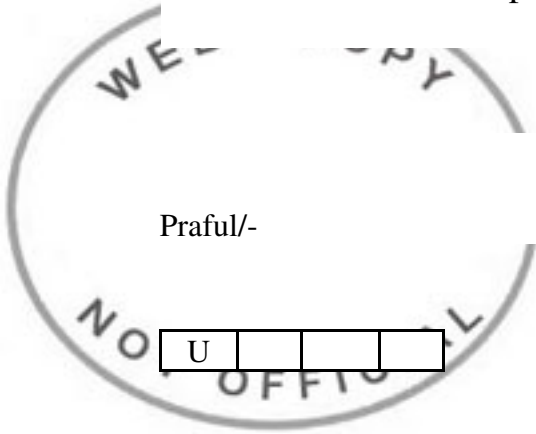
The present petition was filed with a prayer to initiate



contempt proceeding against opposite parties on an allegation of willful disobedience to an order dated 20/12/2010 passed in CWJC No. 6161 of 2010 whereby, the writ petition was disposed of granting liberty to the petitioners to file individual representations before the respondent no. 3. Regarding the claim of 2nd A.C.P. it was indicated that if it is found that petitioners are entitled for 2nd A.C.P., orders shall be passed by the respondent concerned within specified time. It was further observed that in case it was found that on account of earlier promotions granted to the petitioners they are not entitled for 2nd A.C.P., reasons for the same shall be communicated to the concerned petitioner within three months.

In this case a detailed show cause has been filed on behalf of opposite party and a categorical statement has been made in paragraph no. 10 of the show cause that petitioner no. 1, 2, 5, 6 and 7 has already been granted three regular promotions to the three cadre posts after their initial appointment. In respect of petitioner no. 3 and 4 it has been indicated that they were already granted two regular promotions within the cadre. Besides this, the opposite party has brought on record a reasoned order vide Annexure – 'A' which has been passed in compliance with the order of the writ court.

Since the order of the writ court has already been
complied in its letter and spirit, the petition stands dismissed.



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(Rakesh Kumar, J)