

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2708 of 2014

IN

Civil Writ Jurisdiction Case No. 921 of 2014

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Ganesh Prasad Yadav, Son of Late Aatul Prasad Mandal, at posted as Executive Engineer, Public Health Engineering Division, Sasaram, presently posted as Executive Engineer, P.H. Design & Planning Division No. 8, Patna. Permanent resident of New Harinichak, Anisabad, P.S. Beur, District - Patna

.... Petitioner

Versus

1. The State of Bihar, through Mr. Anjani Kumar Singh, the Chief Secretary, Government of Bihar, Patna
2. Mr. Deepak Kumar, the Principal Secretary, General Administration Department, Government of Bihar, Patna
3. Mrs. Anshuli Arya., the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna
4. Mrs. Anshuli Arya, the Secretary, Public Health Engineering Department, Government of Bihar, Patna
5. Mr. Jai Shanker Choudhary, the Engineer-in-Chief, Public Health Engineering Department, Government of Bihar, Patna
6. Mr. Rakesh Kumar, the Chief Engineer, Public Health Engineering Department, Government of Bihar, Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. S. Azeem, Advocate
Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Subodh Kumar, A.C. to G.P.-14

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 23-11-2015

Heard the Counsel for the petitioner and Counsel for the State.

The present application has been filed making a grievance of violation of order dated 06.02.2014 as the State has not granted any promotion as well as any consequential benefit to the petitioner whereas the Court has directed for consideration of his case

and giving the consequential benefit.

The Counsel for the State has submitted with regard to the order of this Court that the spirit of the order is only for consideration of the case of the petitioner for promotion and if there is no impediment, in that circumstances petitioner would be granted promotion including the consequential benefit. He has further brought to the notice of this Court about the order dated 06.02.2014, where the Special Executive Officer has considered the case of the petitioner and has arrived at a finding that the petitioner is not entitled to any promotion.

In view of the order dated 06.02.2014, the present application of contempt does not survive. However, the liberty is given to the petitioner, if so advised to challenge the said order before the appropriate court or authority.

With the above observation, this petition is disposed of.

(Shivaji Pandey, J)

Vats/-

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