

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.889 of 2014

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1. Kamleshwar Kishor Sinha S/O Late Ram Jatan Sinha Resident Of Village -
Dharhara, P.S. - Paliganj, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Cooperative Department,
Government Of Bihar, Patna
2. The Principal Secretary, Cum Chairman Grievance Redressal Committee
Department Of Cooperative New Secretariat, Vikas Bhawan, Patna
3. The Registrar Cooperative Societies, Government Of Bihar New Secretariat,
Vikash Bhawan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. DEEPAK KISHORE

For the Respondent/s : Mr. KUMAR MANISH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 05-02-2015

The petitioner had approached the respondent-authority with a grievance that he is entitled to second time-bound promotion, which was not given to him while he was in service. The matter was considered by the Committee in its meeting dated 27-4-2013. Cases of many a employees were taken up, but we are concerned with the decision rendered in the case of the petitioner at serial no.15 of the order under challenge contained in Annexure-11.

No doubt, it is a cryptic order where it has been said that since the service of the petitioner was not found to be satisfactory, therefore, the time-bound promotion cannot be granted.

From perusal of the materials brought on record in the counter-affidavit;

details have been provided of the serious kind of charges brought against the petitioner. The petitioner was earlier dismissed from service. However, the order was set aside on a technical ground but it did not mean that he was absolved of his liability. The punishment did come to visit him ,and that punishment remained while the petitioner was in service. Petitioner superannuated many many years ago and is still looking for the grant of benefit which cannot be extended because of the nature of punishment which remained and subsisted while he was still in the employment of the State.

If that be so, the decision rejecting the claim of second time-bound promotion cannot be said to be irrational or arbitrary. There is no merit in the writ application.

The writ application is dismissed.

(Ajay Kumar Tripathi, J)

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