

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10645 of 2010

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Pritam Kumar Srivastava S/o Sri Ramesh Kumar Srivastava, R/o Mohalla
Brahminighat, P.S. Civil Lines, District- Gaya, working as a Fitter.

.... Petitioner/s

Versus

1. The Water Board Gaya a Wing of Gaya Municipal Corporation, Gaya
through its Chief Executive Officer, Gaya Municipal Corporation, Gaya.
2. The Chief Executive Officer, Water Board Gaya a Wing of Gaya
Municipal Corporation, Gaya
3. The Executive Engineer, Water Board, Gaya.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sharma

For the Respondent/s : Mr. Rabindra Kr. Priyadarshi

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 07-01-2015

Heard learned counsel for the petitioner and learned
counsel for the respondents.

In this case, the petitioner is seeking relief for
issuance of direction to promote the petitioner to the post of
Chargeman.

The petitioner is a Fitter, employed in Gaya
Municipality, has claimed for promotion to the post of Chargeman
on the ground that from the post of Fitter, the next promotional
post is Chargeman, for that, he moved before this Court in CWJC
No. 15231 of 2004 and this Court, vide order dated 18th January
2006, directed the petitioner to file a representation and that was to
be considered by the Chief Executive Officer, Gaya Municipal
Corporation.

The Chief Executive Officer, Gaya Municipal Corporation considered the case of the petitioner and rejected his case vide order dated 1st July 2008 (Annexure-2) arrived to a conclusion that post of Fitter belongs to the Smith cadre whereas post of Pump Operator, Head Mistri and Chargeman fall in different cadre of Operating Section, so much so that position of the petitioner is at serial No. 16 and 15 persons, Pump Khalasi, Pump Mistri and others are above him and also arrived to a conclusion that the petitioner does not have requisite qualification of training certificate of Chargeman from ITI, on that ground representation of the petitioner was rejected. The petitioner is not challenging this order and is submitting that as he was a Fitter, he should have been granted the promotion.

As the Chief Executive Officer, Gaya Municipal Corporation has dealt with the matter elaborately assigned reasons as to why the petitioner cannot be given benefit which the petitioner has accepted and not challenging the statement made in the order.

This Court does not find any merit in the present application. Accordingly the same is dismissed.

(Shivaji Pandey, J)

Mahesh/-

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