

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.11980 of 2007**

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Amar Nath Roy, son of Late Krishnadeo Roy, resident of village-  
Phulwariya, P.S. Phulwariya, District-Begusarai

.... .... Petitioner

Versus

1. The State of Bihar, through the Secretary-cum- Commissioner, Animal Husbandry Department, Govt. of Bihar, New Secretariat, Vikash Bhawan, Patna
2. The Director, Animal Husbandry Department, Govt. of Bihar, New Secretariat, Vikash Bhawan, Patna
3. The Regional Director, Animal Husbandry Department, Govt. of Bihar, New Secretariat, Vikash Bhawan, Patna
4. The District Animal Husbandry Officer, Samastipur

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. SHIVENDRA KISHORE

For the Respondent/s : Mr. AC to PAAG

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**

**ORAL JUDGMENT**

**Date: 10-02-2015**

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Heard learned counsel for the petitioner and learned AC to  
Principal Addl. Advocate General.

The present writ petition was filed in the year 2007 with a  
prayer to direct the Respondents to consider the case of the petitioner for  
promotion to the post of Live Stock Supervisor, Live Inspector and  
Assistant Technical Officer/Assistant Fodder Development Officer with  
effect from 19.03.1991, 19.3.1996 and 19.03.2001 respectively. At the  
time of filing of the writ petition, the petitioner was functioning as Live  
Stock Assistant in the office of Respondent no.4/ District Animal  
Husbandry Officer, Samastipur.

Learned counsel for the petitioner has placed reliance on

Annexure-11 to the writ petition i.e. order dated 03.08.2006 passed in C.W.J.C.No.4418 of 2004. From the writ petition, it appears that the petitioner had filed representations before the Respondent no.2/ Director, Animal Husbandry Department, Bihar, Patna vide Annexures- 16 and 16/A to the writ petition. Though the writ petition was filed in the year 2007, till date no counter affidavit has been filed.

Keeping in view the relief sought for in the writ petition as well as fact disclosed in the writ petition, instead of asking learned counsel for the State to obtain instruction and file counter affidavit, the Court proposes to dispose of the writ petition with a direction to the Respondent no.2/ Director Animal Husbandry Department, Bihar, Patna to consider the representation of the petitioner i.e. Annexure-16/A to the writ petition and pass appropriate order in accordance with law. If the Director, Animal Husbandry Department considers the claim of the petitioner as genuine, he is required to grant relief to the petitioner within a period of three months from the date of receipt/production of a copy of this order. Even in case of disagreement with the representation filed by the petitioner, the Director, Animal Husbandry Department, Bihar is required to pass a reasoned order and communicate the same to the petitioner within three months.

With above observation and direction, the writ petition stands disposed of.

NKS/-

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**(Rakesh Kumar, J)**