

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11669 of 2007

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Awadesh Prasad Singh, son of Late Saryug Singh, resident of Village- Deowaria,
P.O.- Pahaleza, P.S.- Akorigola, District- Rohtas.

.... Petitioner.

Versus

1. The State of Bihar.
2. The Principal Secretary-cum-Commissioner, Water Resources Department,
Government of Bihar, Patna.
3. The Engineer-in-Chief, Water Resources Department, Government of Bihar,
Patna.
4. The Chief Engineer, Water Resources Department (Irrigation), Anishabad,
Patna.

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Anand Kr. Singh, Advocate
Mr. Dharmendra Kumar, Advocate
For the Respondent/s : Mr. (GP12)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL JUDGMENT

Date: 21-01-2015

By order dated 10.09.2007, the writ application is
confined to petitioner no.1 only.

The petitioner prays for direction to the respondents
to promote him to the post of Typist-cum-Correspondence Clerk with
effect from 1989 and to make payment of arrears of salary.

The petitioner was appointed as a Peon on
17.06.1974. He was given 1st time bound promotion on 09.06.1988.
The Department conducted Departmental examination on 20.12.1989
for giving promotion to the petitioner and other similarly situated
persons.

The petitioner claims that he passed in the Departmental examination. In support of the aforesaid fact, the petitioner submits that he was allowed to work on the post of Typist-cum-Correspondence Clerk.

The petitioner submits that though he had passed the Departmental examination, no promotion was granted to him and he retired in March, 2014. The petitioner further submits that he has been denied promotion, as the file relating to the promotion is not traceable. In support of his submission, he relied upon the letter of the Chief Engineer (respondent no.4) dated 04.02.2006 bearing letter no. 773.

As the relevant materials are not on record, it is difficult for this Court to give any positive direction. If the petitioner approaches the Principal Secretary, Water Resources Department, he would dispose of the representation of the petitioner in accordance with law preferably within a period of four months from the date of receipt of a copy of this order.

With the aforesaid observation, this application stands disposed of.

(Samarendra Pratap Singh, J.)

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