

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7999 of 1998

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Dhirendra Kumar

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Madhukar Kr. Sinha, SC-I

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 16-02-2015

1. No one appears on behalf of the petitioner nor there is any representation on behalf of Bihar State Housing Board. Learned counsel for the State is present.
2. Following is the relief prayed for in the present writ application:-

“That this writ application has been directed for issuance of a writ in the nature of mandamus to command the respondents Bihar State Housing Board (hereinafter referred to Board) to consider the case of the petitioner for promotion on the post of Assistant with retrospective effect with all consequential benefits in the light of the order of the Hon’ble Supreme Court of India dated 9.10.1991 passed in S.L.P. No. 3176 of 1991 and judgment of this Hon’ble Court dated 11.12.97 passed in C.W.J.C. NO. 4734 of 1992 and for issuance of an appropriate order/orders, direction/directions to the respondents as your Lordships may deem fit and proper.”

3. Relevant portion of the order of the Supreme Court

dated 9.10.1991 passed in SLP No. 3176 of 1991 is extracted
hereinbelow:-

“Appellant shall, therefore, be deemed to have been employed as a Clerk from 1977. He would, however, be not entitled to raise a claim for salary for the period between 1977-1980. His seniority as a Clerk shall be counted from 1977 and he may be considered for promotion retrospectively, but in case he is found entitled to such promotion, he would not have claim for higher sages for any past period.”

4. It seems that either the petitioner has lost interest in the matter, having his grievance been redressed or he has lost interest during the pendency of the writ application.

5. This application is thus, dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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