

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3980 of 2015

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1. Kamaldeo Singh son of Late Ram Nagina Singh, resident of village- Tiyer, P.O.-
Pihuli, P.S.- Asawn, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Siwan
3. The District Panchayati Raj Officer, Siwan
4. The Block Development Officer, Raghunathpur Block, Siwan
5. The Accountant General (A & E)-II, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

For the Respondent/s : Mrs. Geta Kumari, GP 28

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-03-2015

In absence of any clear material having been brought on record which would show that the date of continuous service rendered by the petitioner is not from 25.2.1968 but prior to the same, there may not be any occasion for this Court to interfere with Annexure-5. Annexure- 5 has been passed after seven members of the committee headed by the District Magistrate went into the grievance of the petitioner in terms of the observation made in MJC No.4019 of 2012. After examining his service book and from the factual aspect emerging, they have treated the petitioner to be on continuous service from 25.2.1968 and 1st time bound and 2nd time bound promotions have been granted to the petitioner. 1st time bound promotion has been granted from 30.11.1984 because he did not pass

Hindi noting and drafting examination prior to that date and 2nd time bound promotion has been granted with effect from 25.2.1993 on completion of 25 years of uninterrupted service.

Petitioner's claim that he has joined the service in 1961 may not be of any avail in absence of evidence. Obviously, there has to be a reason not to consider the previous service prior to 25.2.1968 for which even the petitioner, who is a retiree of 1996, chooses to be silent upon.

In view of the detailed consideration contained in Annexure- 5, no interference seems to be warranted with the decision and order.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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