IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5279 of 2001

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Shobh Nath Ram Son of Late Nanhak Ram, residents of village Kulharia, P.S. Koilwar, District- Bhojpur at present posted as Clerk (Upper Division), in the Block of Tarari, District- Bhojpur

.... Petitioner

Versus

1. The State of Bihar, through the Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna.
2. The Secretary-cum-Commissioner, Department of Finance, Government of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The Collector-cum- District Magistrate, Bhojpur at Arrah

.... Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Mritunjay Kumar, Adv.
A.C. to A.A.G.-10

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 28-07-2015

This is an application seeking direction to the respondent-authorities to grant the petitioner First Time Bound Promotion with effect from 01.04.1981 and Second Time Bound Promotion with effect from 01.04.1986. The petitioner has also sought for a direction for revision of his Pay Scale accordingly. It appears that for the similar relief, he had earlier moved before this Court by filing C.W.J.C. No. 4018 of 1998. It further appears that because the petitioner had not cleared the Accounts Examination, the Time Bound Promotions were not granted to him. He had attained the age of 50 years as on 17.01.1993. The rules provided for grant of exemption from passing the Accounts Examination for such government servants who had attained the age of 50 years. Exemption from passing Accounts Examination was granted to him by an order passed by the Commissioner, Patna dated 24.01.2001 from the date of passing of the said order. In the meanwhile, with the introduction of Central Pay Scale for the employees of the State Government, the scheme of Time Bound Promotion came to an end with effect from 01.01.1996.

2. There is no representation on behalf of the petitioner.

3. Learned counsel for the State of Bihar is present. He submits that relief, as sought for in the writ application, cannot be granted, there being no scheme for grant of time bound promotions after he was exempted from passing such examination to the petitioner. Learned counsel for the State appears to be right in his submission that grant of exemption from passing

Accounts Examination will take its effect from the date, such order is passed, granting an exemption and not from the date when the petitioner attained the age of 50 years.

4. I do no find any merit in this application.

5. This application is, accordingly, rejected.

6. There shall, however, be no order as to costs.

(Chakradhari Sharan Singh, J.)

Vats/-

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