

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16630 of 2007

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Md. Abu Bakar son of late Haji Abdul Zabbar presently residing at
Mohalla- Khajanchi Hat, near Rizwan Masjid, P.S. – K.Hat, P.O. Purnea,
District- Purnea.

.... Petitioner

Versus

1. The State of Bihar
2. Secretary, Personnel and Administrative Reforms Department,
Government of Bihar, Patna.
3. District Magistrate, Purnea.
4. Deputy Collector, Establishment, Purnea Collectorate, Purnea.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Gyanand Roy

For the Respondent/s : AC to SC-22

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-03-2015 Heard Sri Gyanand Roy, learned counsel for the
petitioner and learned A.C. to Standing Counsel – 22.

The petitioner, invoking writ jurisdiction of this Court
under Article 226 of the Constitution of India, has prayed for
directing the respondents to grant First Time Bound Promotion in
Junior Selection Grade w.e.f. 1.4.1981. The petitioner has further
prayed for directing the respondents to consider the case for grant
of Second Time Bound Promotion w.e.f. 1.4.1986.

In this case, counter affidavit has been filed on behalf
of respondents and it has been indicated that the petitioner's case
for grant of First Time Bound Promotion was considered and he
has already been granted First Time Bound Promotion, vide

Annexure 'A' to the counter affidavit, which is contained in Memo No. 1016 dated 8.10.09. In respect of Second Time Bound Promotion, a stand has been taken that due to non-availability of the government order to the effect of exemption from examination after completion of 50 years of service as well as non-availability of any representation of the petitioner, same has not been considered.

Keeping in view the stand taken in the counter affidavit as well as the fact that First Time Bound Promotion, which has been sought for, has already been granted, the Court is of the opinion that the writ petition can be disposed of granting liberty to the petitioner to file a detailed representation before the respondent no. 3/District Magistrate, Purnea, detailing his ground for claim of Second Time Bound Promotion. If such representation is filed within a period of eight weeks from today, the respondent no. 3 is required to examine the same and pass appropriate order within a period of three months from the date of filing of such representation.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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